

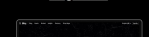
ATTACHMENT 1

Get verified to start advertising on X.

[Learn more](#)

Follow @XBizness
for more

Check our curation of the
latest X news from
blog.x.com



The screenshot shows the X (Twitter) website interface. At the top, there's a navigation bar with 'Home', 'Search', 'Notifications', and 'Profile'. Below the navigation bar, there's a search bar with the text 'X' entered. The search results show a list of tweets. The first tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes. The second tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes. The third tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes. The fourth tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes. The fifth tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes. The sixth tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes. The seventh tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes. The eighth tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes. The ninth tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes. The tenth tweet is from @X, with the text 'X is the future of social media. Join us today.' and a link to 'Join us today'. The tweet has 10 retweets and 10 likes.

ATTACHMENT 2



Home

Explore

Notifications

Messages

Grok

Lists

Bookmarks

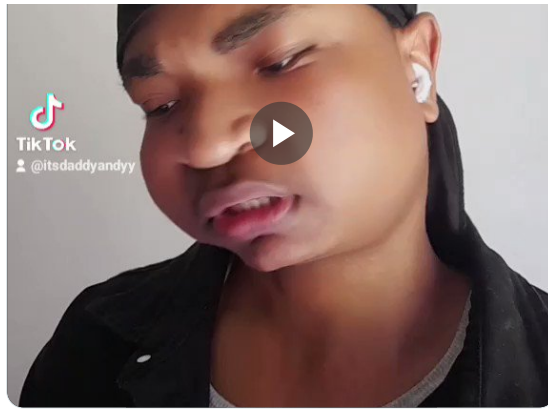
Communities

Premium

Profile

More

Post



1 1 406

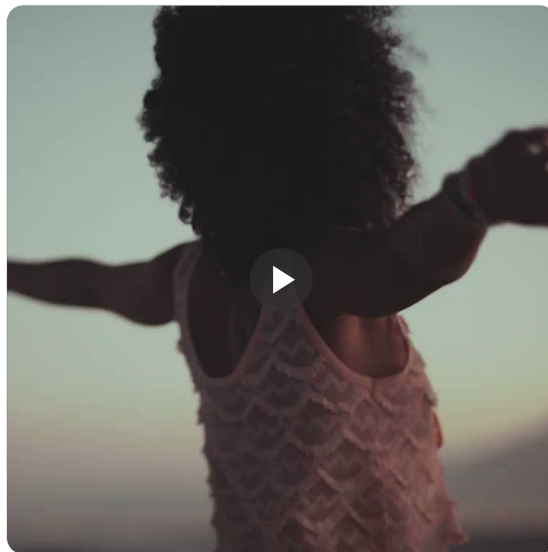


Hola @hola_org · Feb 2, 2023

Hola Premium. High Definition. Uninterrupted. Get it today!

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1 3 361



William Reid
@WilliamRei49577

...



Home



Explore



Notifications



Messages

Grok



Lists



Bookmarks



Communities



Premium



Profile



More

Post



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Home



Explore



Notifications



Messages

Grok



Lists



Bookmarks



Communities



Premium



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More


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Home




Explore




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Messages




Grok




Lists




Bookmarks




Communities



Premium




Profile



More

Post



ATTACHMENT 3

Home

Explore

Notifications

Messages

Grok

Lists

Bookmarks

Communities

Premium

Profile

More

Post

Luminati.io (Now Bright Data)

10 posts

Luminati.io (Now Bright Data)

@luminatinetwork

We are now @bright_data , learn about what's new on our homepage.

[lmti.io/2PxZui](#) Joined February 2016

37 Following 21 Followers

Not followed by anyone you're following

PostsRepliesMediaLikes

Luminati.io (Now Bright Data) reposted

Kin + Carta Europe

@kinandcarta_eu · Oct 2, 2018

We're excited to announce that AmazeRealise have been named the #1 Design & Build agency within the UK and recognised as a top 10 agency within @Econsultancy's #Top100DigitalAgencies for 2018.

[realise.com/news/amazereal...](#)

8

11

Luminati.io (Now Bright Data) reposted

Louise Anne Finch

@loufnch · Apr 30, 2018

A few free tickets left for your chance to hear from the Microsoft Team with sessions including Cognitive Services and Bots, Data and Business Intelligence and Analytics.

Liverpool: [bit.ly/2JoKuZv](#)

Manchester: [bit.ly/2Hh3Ouu](#)

Anna Fear

Product Marketing Manager at Azure

James Akridge

Head of Technology for Partners

Jodie Rodgers

Partner Technology Strategist, Data & AI

Phil Harvey

Cloud Solution Architect, Data & AI

EVENT

Microsoft Roadshow in Partnership with BIMA

Liverpool | 2 May

Manchester | 3 May

10

7

Luminati.io (Now Bright Data) reposted

Kin + Carta Europe

@kinandcarta_eu · Dec 15, 2017

Christmas is a time for family. So we have brought together our work family to create a single showreel celebrating the best of our client work this year. We hope you will enjoy it. Happy Christmas. @realisettweets @Branded_3

vimeo.com

AmazeRealise Showreel

This is "AmazeRealise Showreel" by Kin + Carta on Vimeo, the home for high quality videos and the ...

8

10

Search

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@usersdotcom

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Rupert

@RupertData

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Avalanche at Devils

NHL · Starts at 7:30 PM

Trending in United States

Drake

392K posts

Politics · Trending

Sebastián Piñera

54.4K posts

Sports · Trending

Kamille

1,412 posts

Politics · Trending

Vladimir Putin

119K posts

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William Reid

@WilliamRei49577

...

https://twitter.com/luminatinetwork

1/3



Home

Explore

Notifications

Messages

Grok

Lists

Bookmarks

Communities

Premium

Profile

More

Post

Luminati.io (Now Bright Data) reposted

LFC Stats @LFCData · Nov 22, 2017

Quite the difference 📊

LFC Stats @LFCData	Naby Keita vs Monaco
Jordan Henderson vs Sevilla	79% passing
55% passing	62.5% of passes went forward
0 take-ons	2 shots
0 tackles won	1 goal
0 aerial duels won	7 tackles
5 fouls	4/4 take-ons
1 booking	2 aerial duels
'Captain'	3 clearances

15 99 162

Luminati.io (Now Bright Data) reposted

BIMA (British Interactive Media Association) @BIMA · Sep 14, 2017

Transforming digital services for Childline, @amazeltid are the #BIMAAwards17 winners for 'Technology: Conscience'

8 11

Who to follow

Karthikeyan K
@KKarthik_yk
Data scientist | Techsavvy 📊 | Sports ⚽ | Music 🎧 | Anime ⚡

Paul Gruffydd
@PaulGruffydd
Technical Director at @kinandcarta & Optimizely MVP



Home



Explore



Notifications



Messages



Grok



Lists



Bookmarks



Communities



Premium



Profile



More


Post





William Reid
@WilliamRei49577




ATTACHMENT 4





 Home


 Explore


 Notifications


1


 Messages


 Grok


 Lists

 Bookmarks

 Communities

 Premium

 Profile

 More

Post



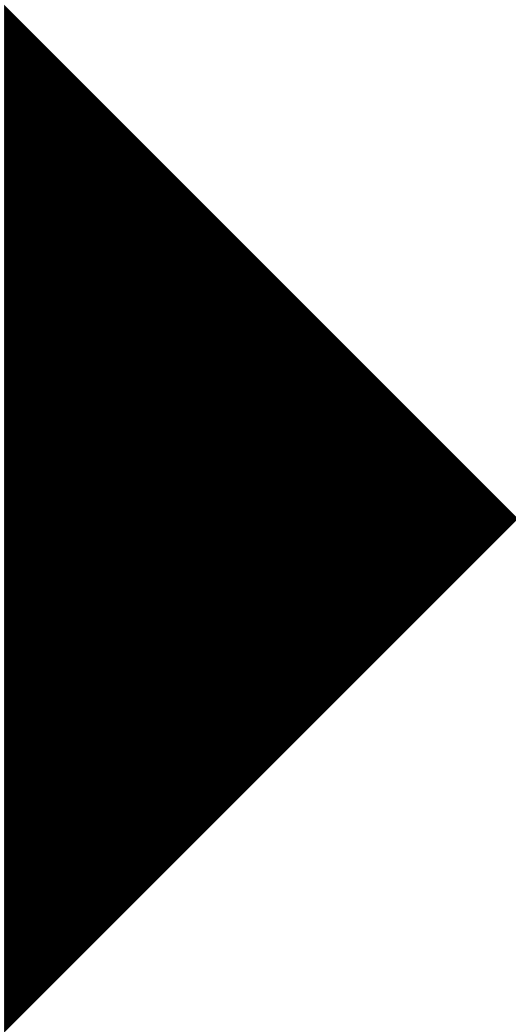
ATTACHMENT 5

[Start Free Trial](#)

We are Bright Data. We were Luminati

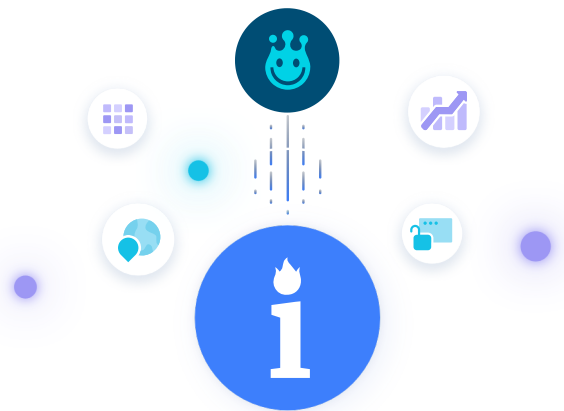
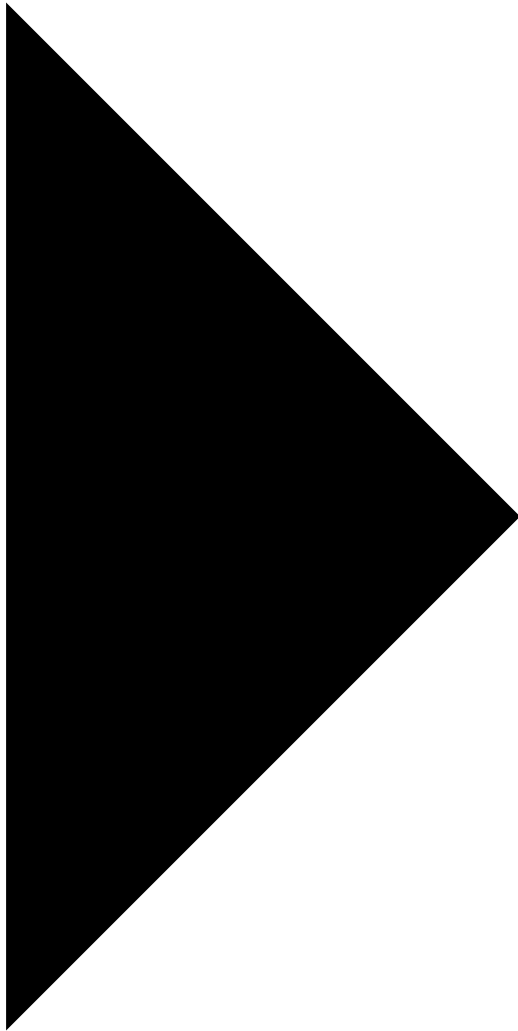
We've grown from proxy infrastructure into the world's #1 web data platform.
This called for a new name.

[Go to new home page](#)



Accessibility

[Start free trial](#)



Our rebrand story

In 2014, we founded Luminati Networks, the premier proxy infrastructure platform for business. Our old name “Luminati” reflected our mission to grant every organization equal access to the internet via proxies—to “illuminate” what was hidden from them on the internet.

We’ve since expanded to become the world’s most trusted automated web data platform, servicing the data needs of nearly every sector of the global economy and 15,000+ customers.

Our new name “Bright Data” marks our expanded mission, to power economic innovation through automated collection and delivery of high-quality web data, ready for immediate analysis.

Our Values

Internet Freedom

Our company was created with a simple vision: that everyone has a right to access the web’s public data and to see the internet as it truly is, without being misled or denied access to public information. We create products that help companies big and small, as well as non-commercial organizations, access and collect the web’s public data.

Free Markets

We believe that providing access to public web data is essential to preserving a free market. Free markets require a level playing field. In today’s digital economy, a level playing field means reliable access to the digital sphere of high quality data. We believe that access to web data drives the best that free markets offer: disruptive innovation that allows businesses to win markets, making entire industries more efficient, and expanding wealth for everyone.



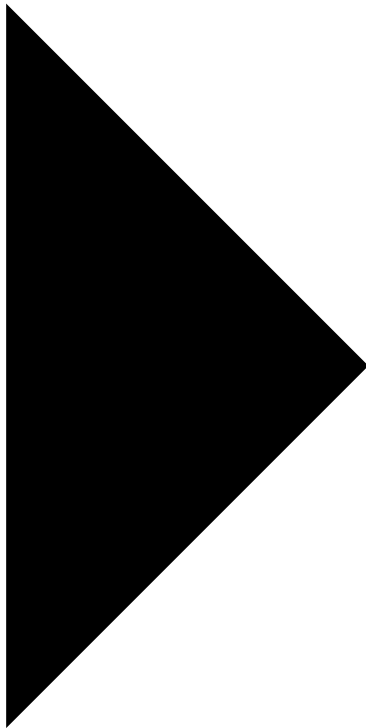
Disruptive Innovation

We believe in disrupting the old ways of doing things, and rethinking established truths. We’ve rapidly innovated, with over 760+ granted patent claims in six years, maintaining our leadership in a dynamic industry. Our rapidly adaptive technologies allow businesses to maintain a leading position, using data to disrupt business-as-usual in their own industries.

Web Data for Good

We believe in using public web data to drive positive change. We created the Bright Initiative to provide public bodies, non-profit organizations, and academic institutions around the world with data and expertise to tackle the most pressing global issues of our time. To date, the Initiative includes over 140 organizations and universities, such as Princeton University, Oxford University, Virginia Tech, and many more.

Tap into the power of web data with our best in-class solutions



PRODUCTS

- Datasets
- Web Scraper IDE
- Scraping Browser
- SERP API
- Bright Insights
- Web Unlocker
- Proxy Manager
- Proxy Browser Extension
- Proxy API

PRICING

- Proxy Network
- Web Scraper IDE
- Scraping Browser
- SERP API
- Datasets

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- Affiliate Program
- Partners
- SDK
- Security Vulnerabilities

COMPANY

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- Blog
- Use Cases
- Support Services

PROXY SERVICES

- Residential Proxies
- Mobile Proxies
- ISP Proxies
- Datacenter Proxies
- Proxy Servers
- Proxy IP Locations
- Proxy Solutions

LEARNING CENTER

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- Iron Analyst
- Web Data Masterclass
- FAQ
- Webinars

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- Patents
- Privacy Policy
- Don't Sell My Personal Info
- Ethical
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Career Journeys

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Media Center

Network Status

Bright VPN

Bright Initiative

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Bright Data Ltd. (Headquarters), 4 Hamahshev St., Netanya 4250714, Israel (POB 8025).
Bright Data, Inc., 500 7th Ave, 9th Floor Office 9A1234, New York, NY 10018, United States.

ATTACHMENT 6

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DATASETS

Twitter Datasets

Tap into Twitter public accounts with Bright Data's Twitter dataset. Use innovative filtering capabilities to monitor sentiment, identify trends, or locate the right influencers, it's really up to you.

Accessibility

Request dataset >

The illustration depicts a user interface for a Twitter dataset. It features a smartphone screen showing a Twitter profile and a tweet. Overlaid on the screen is a table with columns for Username, Following, Followers, Posts, Shares, and Verified account. The table lists three users: @MarkWilliams, @JonathanSmith, and @AmandaMiller. A blue arrow points from the smartphone screen to the table, indicating the data source.

Username	Following	Followers	Posts	Shares	Verified account
@MarkWilliams	23K	36K	4K	85K	Yes
@JonathanSmith	97K	120K	13K	2M	Yes
@AmandaMiller	49K	60K	7K	92K	No

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< Forbes VB te >

Accessibility

Twitter Datasets

Added and enriched data points on top of the data extracted from Twitter may include:
of followers, verified, account type, links, bio, brand affiliation, posts, images, tweets, shares, location, hashtags, and much more.

Timestamp	ID	URL	Image URL
2023-02-15	ODN2I4011N9	https://www.example.com/5TE34S...	https://www.image.com/img_F4TTVC
2023-02-14	29J5H294HDN	https://www.example.com/5F4556...	https://www.image.com/img_35TGRG:
2023-02-14	IEFN38HJF3894	https://www.example.com/435F56Y...	https://www.image.com/img_G29JFVG
2023-02-13	3P9IQKH91YR5	https://www.example.com/HBT394...	https://www.image.com/img_7DNRJA5
2023-02-11	HEI3N589HDJ2	https://www.example.com/9RJEI397...	https://www.image.com/img_JR49483:
2023-02-11	RTQ452FS4H4	https://www.example.com/V43RVT5..	https://www.image.com/img_53E34SV
2023-02-11	RTQ452FS4H4	https://www.example.com/V56PPTA	https://www.image.com/img_57DH45



Locate the Right Twitter Influencers

Find Twitter influencers with high social impact by using our Twitter datasets to analyze engagement, brand affiliation, followers, etc. Collaborate with those who can promote your brand most effectively.

Request dataset

Monitor brand reputation and consumer sentiment

Start Free Trial



Request dataset



Accessibility

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Accessibility

Discover new trends and opportunities

Find companies, professionals, new market opportunities, trending products, and what your competitors are doing about it.

[Request dataset](#)

Dataset Features

Get easy to use, well-structured datasets for any use case

[Start Free Trial](#)

Structure maintenance

Datasets are maintained based on website structure changes

Custom output fields

Define custom output fields to meet specific business requirements

24/7 support

We provide assistance to our customers whenever they need it

Subscription

Data feed of new/updated records, based on a predefined schedule

[Accessibility](#)

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Amazon S3, Google Cloud PubSub, SFTP, and Microsoft Azure.

Different file output formats

Datasets in the format of JSON, ndJSON, CSV, or Excel

Dedicated account manager

Management of your data collection by a dedicated account manager

Data Scaling

Define servers to handle large amount of data requests

Data quality assurance

Accessibility

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We'll provide the data while you focus on the rest

Accessibility



Easy Discovery

Tap into all data points available on a website, which can be very challenging to discover when collecting yourself.



Accurate and Complete

Get fresh, precise, and complete datasets, covering millions of pages and tens of millions of data points.

[Start Free Trial](#)

Enriched Data

Increase the value and usability of your dataset by integrating multiple data sources to create a valuable enriched dataset.

Accessibility



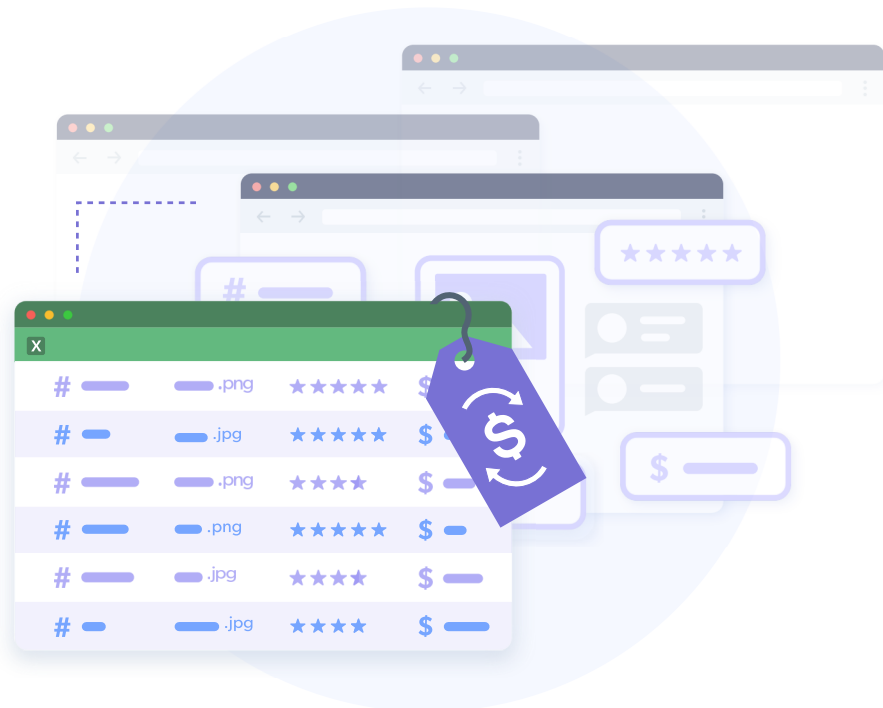
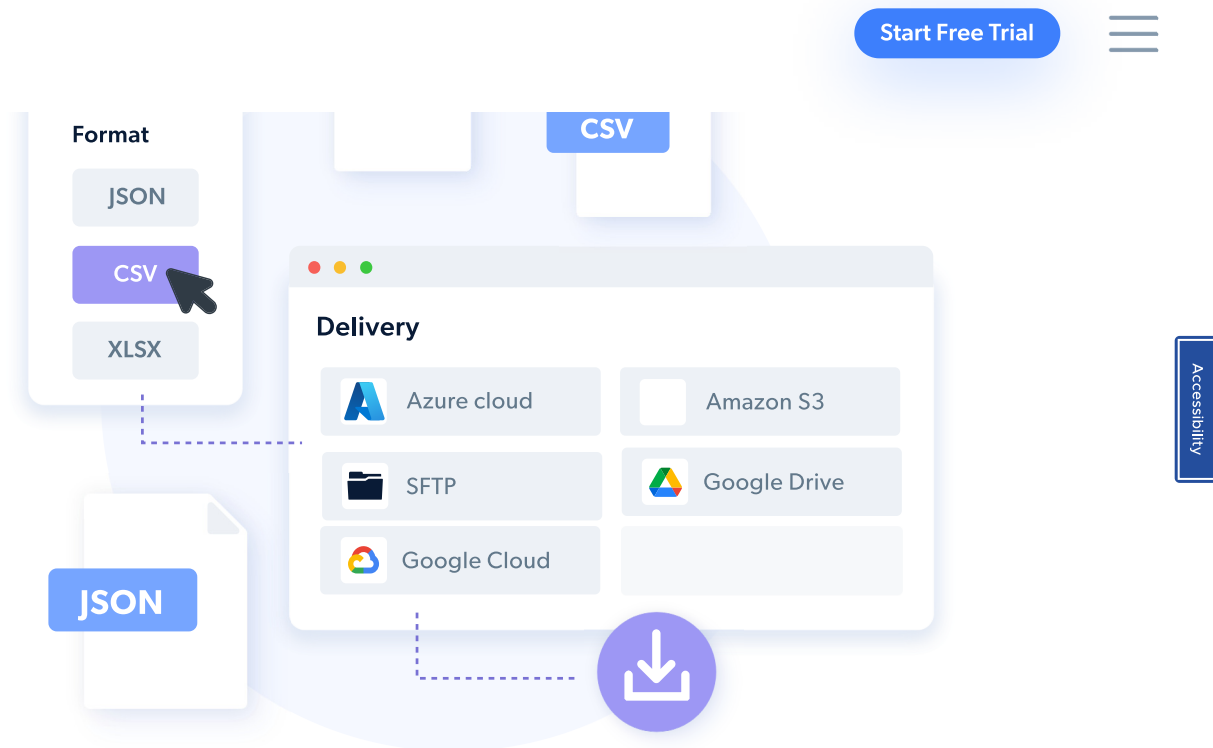
Leaders in Compliance

Bright Data is fully committed to complying with all relevant data protection legal requirements, including GDPR and CCPA.

Various Formats

Datasets in JSON, ndJSON, CSV, or XLSX will be delivered to your preferred storage.

Delivery methods include: AWS, Google Drive, Google Cloud Storage, SFTP, and more!



Flexible Pricing

Send us your requirements and we'll provide you with a quote for your requested dataset.

- Price starts from \$0.001/record

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Accessibility

Get your Twitter dataset today.

[Request dataset >](#)

Twitter dataset common questions

What data may be included in the Twitter dataset?



Can I get updates for my purchased Twitter dataset?



Can I purchase a subset of the Twitter dataset?



In what format will I receive the Twitter dataset?



Can I scrape Twitter's public data by myself?



If you don't want to purchase a Twitter dataset, you can start scraping Twitter public data using our [Web Scraper IDE](#).

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ATTACHMENT 7

[Start Free Trial](#)[< index](#)**About**[Accessibility](#)

Twitter Scraper

Scrape Twitter and scrape data such from public Twitter profiles. Collect data on URLs, hashtags, images, videos, tweets, retweets, conversation threads, followers/following, locations, and more.

[Start Free Trial >](#)

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#	Image	Product type	Description	Rating	Delivery time
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					

Accessibility

Use Bright Data's Web Scraper IDE,

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Twitter Scraper use cases

Accessibility

Scrape Twitter to monitor consumer sentiment

Find new influencers and monitor shifts in popularity

Protect your brand image by capturing users' conversations

Easily stay on top of new trending topics

Twitter Scraper Overview

- ✓ Easy data scraping for beginners
- ✓ Utilizes proprietary technology to unlock sites
- ✓ Infinitely scalable – collect as much data as you need quickly and completely
- ✓ Fully compliant with industry best practices and privacy regulations (GDPR, CCPA)

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Accessibility

Twitter profile

Collect profile data by profile URL

Twitter tweets

Collect tweets by tweet URL

Twitter keyword or hashtag

Collect tweets by keyword or #hashtag -
DEMO

Twitter keyword or hashtag

Sample Input

search

#love

Sample Output

Start Free Trial



```
"id_str": "1417746521731133443",
"full_text": "All my heart to this movie 🌟👉❤️ #love #selfcare
#WEALLHUMAN https://t.co/m1lwyJNGF4",
"truncated": false,
"source": "\u003Ca
href=\u0022http://twitter.com/download/iphone\u0022
rel=\u0022nofollow\u0022\u003ETwitter for iPhone\u003C/a\u003E",
"in_reply_to_status_id": null,
"in_reply_to_status_id_str": null,
"in_reply_to_user_id": null,
"in_reply_to_user_id_str": null,
"in_reply_to_screen_name": null,
"user_id_str": "1414891075982880770",
"geo": null,
"coordinates": null,
"contributors": null,
```

Accessibility

Twitter profile

Sample Input

url

number_of_tweets

Sample Output

[Start Free Trial](#)

Accessibility

```
"isVerified": true,
"bio": "Newton is a very handsome boy.",
"location": "California, USA",
"following": 2067,
"followers": 17192867,
"website_url": "http:\\\\spotify.link\\NetflixHub",
"posts": 43328,
"media_count": 10778,
"profile_background_image_url":
"https:\\\\pbs.twimg.com\\profile_banners\\16573941\\1648216530",
"profile_image_url":
"https:\\\\pbs.twimg.com\\profile_images\\1235992718171467776\\PaX2Bz1S_nor
"created": "Fri Oct 03 04:16:17 +0000 2008",
"handle": "netflix",
"collected_number_of_posts": 20,
```

Twitter tweets

Sample Input

url

<https://twitter.com/billieeilish/status/1288974168399069185>

Sample Output

[Start Free Trial](#)

```
"1448695234561380352"
],
"post_url":
"https:\\\\twitter.com\\NYUABetterTech\\status\\1448695234561380352",
"post_text": "Happening now! Join @NaDomagala, @maria_axente, Dave
Tarrant, Olivia Gambelin and hear responsible technology professionals from
different sectors sharing what skills they have found the most useful when
working in technology and data ethics.",
"post_time": "Thu Oct 14 17:00:34 +0000 2021",
"retweets": 0,
"comments": 0,
"likes": 1,
"status": "Ok"
}
```

Accessibility

Web Scraper IDE Features

Leave your scraping limitations behind with our hosted cloud solution

Pre-made web scraper templates

Get started quickly and adapt existing code to your specific needs

[Start Free Trial](#)

watch your code as you build it and debug errors in your code quickly

Built-in debug tools

Debug what happened in a past crawl to understand what needs fixing in the next version

Browser scripting in JavaScript

Handle your browser control and parsing codes with simple procedural JavaScript

Ready-made functions

Capture browser network calls, configure a proxy, extract data from lazy loading UI, and more!

Easy parser creation

[Accessibility](#)

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Accessibility

Auto-scaling infrastructure

You don't need to invest in the hardware or software to manage an enterprise-grade web scraper

Integration

Emulate a user in any geo-location with built-in fingerprinting, automated retries, CAPTCHA solving, and more.

Built-in debug tools

Trigger crawls on a schedule or by API, and connect our API to major storage platforms

Leverage Twitter Scraper for the following uses:

- Get a leg up on upcoming trends, predict the next fads and fashions, and keep track of consumer sentiment

Start Free Trial



- Learn about your competitors and their customers to gain insights and advantage



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Accessibility

Everything you need from a web scraping solution

Browse Bright Data's directories

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#) [?](#)

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Want to learn more?

Talk to an expert to discuss your data collection needs and see our platform in action.

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Bright Data Ltd. (Headquarters), 4 Hamahshev St., Netanya 4250714, Israel (POB 8025)
229 W 36th St., New York, NY 10018, United States.

ATTACHMENT 8



New! Meet Scraping Browser: Everything you need for Twitter Profile scraping in one automated browser

Playwright/Puppeteer/Selenium compatible

[Learn more >](#)

Search for website



Accessibility

[< index](#)

About

Twitter Profile Scraper

Scrape Twitter profiles (public) and collect data such as user name, display name, likes, tweets and retweets, replies, location, Twitter handle, following/followers, URL, date of creation, and more.

[Start Free Trial >](#)



New! Meet Scraping Browser: Everything you need for Twitter Profile scraping in one automated browser

Playwright/Puppeteer/Selenium compatible

[Learn more >](#)



Accessibility

Use Bright Data's [Web Scraper IDE](#),
or purchase a [Twitter dataset](#)



New! Meet Scraping Browser: Everything you need for Twitter Profile scraping in one automated browser

Playwright/Puppeteer/Selenium compatible

[Learn more >](#)

Scrape Twitter profiles for competitive analysis

Scrape Twitter profiles for influencer marketing

Scrape Twitter profiles for social media marketing

Scrape Twitter profiles for sentiment analysis

Accessibility

Twitter Profile Scraper Overview

- ✓ Easy data scraping for beginners
- ✓ All-in-One platform integrates with our industry-leading proxies
- ✓ Utilizes proprietary technology to unlock sites
- ✓ Infinitely scalable – collect as much data as you need quickly and completely
- ✓ Fully compliant with industry best practices and privacy regulations (GDPR, CCPA)

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Output examples



New! Meet Scraping Browser: Everything you need for Twitter Profile scraping in one automated browser

Playwright/Puppeteer/Selenium compatible

[Learn more >](#)

Twitter profile

Collect profile data by profile URL

Twitter tweets

Collect tweets by tweet URL

Accessibility

Twitter profile

Sample Input

url

`https://twitter.com/billieeilish`

number_of_tweets

`70`

Sample Output



New! Meet Scraping Browser: Everything you need for Twitter Profile scraping in one automated browser

Playwright/Puppeteer/Selenium compatible

[Learn more >](#)

```
"posts": 43328,  
"media_count": 10778,  
"profile_background_image_url":  
"https:\\\\pbs.twimg.com\\profile_banners\\16573941\\1648216530",  
"profile_image_url":  
"https:\\\\pbs.twimg.com\\profile_images\\1235992718171467776\\PaX2Bz1S_nor  
"created": "Fri Oct 03 04:16:17 +0000 2008",  
"handle": "netflix",  
"collected_number_of_posts": 20,
```

Accessibility

Twitter tweets

Sample Input

url

<https://twitter.com/billieeilish/status/1288974168399069185>

Sample Output



New! Meet Scraping Browser: Everything you need for Twitter Profile scraping in one automated browser

Playwright/Puppeteer/Selenium compatible

[Learn more >](#)

```
different sectors sharing what skills they have found the most useful when  
working in technology and data ethics.",
```

```
  "post_time": "Thu Oct 14 17:00:34 +0000 2021",
```

```
  "retweets": 0,
```

```
  "comments": 0,
```

```
  "likes": 1,
```

```
  "status": "Ok"
```

```
}
```

Accessibility

Twitter keyword or hashtag

Sample Input

search

#love

Sample Output



New! Meet Scraping Browser: Everything you need for Twitter Profile scraping in one automated browser

Playwright/Puppeteer/Selenium compatible

[Learn more >](#)

```
rel=\u0022nofollow\u0022\u003ETwitter for iPhone\u003C\/a\u003E",  
  "in_reply_to_status_id": null,  
  "in_reply_to_status_id_str": null,  
  "in_reply_to_user_id": null,  
  "in_reply_to_user_id_str": null,  
  "in_reply_to_screen_name": null,  
  "user_id_str": "1414891075982880770",  
  "geo": null,  
  "coordinates": null,  
  "contributors": null,
```

Accessibility

Web Scraper IDE Features

Leave your scraping limitations behind with our hosted cloud solution

Pre-made web scraper templates

Get started quickly and adapt existing code to your specific needs



New! Meet Scraping Browser: Everything you need for Twitter Profile scraping in one automated browser

Playwright/Puppeteer/Selenium compatible

[Learn more >](#)

Accessibility

Built-in debug tools

Debug what happened in a past crawl to understand what needs fixing in the next version

Browser scripting in JavaScript

Handle your browser control and parsing codes with simple procedural JavaScript

Ready-made functions

Capture browser network calls, configure a proxy, extract data from lazy loading UI, and more!

Easy parser creation



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Auto-scaling infrastructure

You don't need to invest in the hardware or software to manage an enterprise-grade web scraper

Integration

Emulate a user in any geo-location with built-in fingerprinting, automated retries, CAPTCHA solving, and more.

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Trigger crawls on a schedule or by API, and connect our API to major storage platforms

Accessibility





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bright data

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Accessibility

ATTACHMENT 9

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Twitter Image Scraper

Scrape Twitter images and collect data such as user name, Twitter handle, following/followers, location, URL, date of creation, and more.

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#	Image	Product type	Description	Rating	Delivery time
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					

Accessibility

Use Bright Data's [Web Scraper IDE](#),
or purchase a [Twitter dataset](#)

<https://brightdata.com/products/web-scraper/twitter/image>

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Twitter Image Scraper use cases

Scrape Twitter images for social media monitoring

Scrape Twitter images for brand monitoring

Scrape Twitter images for trend analytics

Scrape Twitter images for sentiment analysis

[Accessibility](#)

Twitter Image Scraper Overview

- ✓ Easy data scraping for beginners
- ✓ All-in-One platform integrates with our industry-leading proxies
- ✓ Utilizes proprietary technology to unlock sites
- ✓ Infinitely scalable – collect as much data as you need quickly and completely
- ✓ Fully compliant with industry best practices and privacy regulations (GDPR, CCPA)

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Output examples

[Start Free Trial](#)

Collect profile data by profile URL

Twitter tweets

Collect tweets by tweet URL

Twitter keyword or hashtag

Collect tweets by keyword or #hashtag -
DEMO

[Accessibility](#)

Twitter keyword or hashtag

Sample Input

search

#love

Sample Output

[Start Free Trial](#)

```
"id_str": "1417746521731133443",
"full_text": "All my heart to this movie 🌟👉❤️ #love #selfcare
#WEALLHUMAN https://t.co/m1lwyJNGF4",
"truncated": false,
"source": "\u003Ca
href=\u0022http://twitter.com/download/iphone\u0022
rel=\u0022nofollow\u0022\u003ETwitter for iPhone\u003C/a\u003E",
"in_reply_to_status_id": null,
"in_reply_to_status_id_str": null,
"in_reply_to_user_id": null,
"in_reply_to_user_id_str": null,
"in_reply_to_screen_name": null,
"user_id_str": "1414891075982880770",
"geo": null,
"coordinates": null,
"contributors": null,
```

Accessibility

Twitter tweets

Sample Input

url

```
https://twitter.com/billieeilish/status/1288974168399069185
```

Sample Output

[Start Free Trial](#)

```
"1448695234561380352"
],
"post_url":
"https:\\\\twitter.com\\NYUABetterTech\\status\\1448695234561380352",
"post_text": "Happening now! Join @NaDomagala, @maria_axente, Dave
Tarrant, Olivia Gambelin and hear responsible technology professionals from
different sectors sharing what skills they have found the most useful when
working in technology and data ethics.",
"post_time": "Thu Oct 14 17:00:34 +0000 2021",
"retweets": 0,
"comments": 0,
"likes": 1,
"status": "Ok"
}
```

Accessibility

Twitter profile

Sample Input

url

<https://twitter.com/billieeilish>

number_of_tweets

70

Sample Output

[Start Free Trial](#)

```
"isVerified": true,  
"bio": "Newton is a very handsome boy.",  
"location": "California, USA",  
"following": 2067,  
"followers": 17192867,  
"website_url": "http:\\\\spotify.link\\NetflixHub",  
"posts": 43328,  
"media_count": 10778,  
"profile_background_image_url":  
"https:\\\\pbs.twimg.com\\profile_banners\\16573941\\1648216530",  
"profile_image_url":  
"https:\\\\pbs.twimg.com\\profile_images\\1235992718171467776\\PaX2Bz1S_nor  
"created": "Fri Oct 03 04:16:17 +0000 2008",  
"handle": "netflix",  
"collected_number_of_posts": 20,
```

Accessibility

Web Scraper IDE Features

Leave your scraping limitations behind with our hosted cloud solution

Pre-made web scraper templates

Get started quickly and adapt existing code to your specific needs

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Watch your code as you build it and debug errors in your code quickly

Built-in debug tools

Debug what happened in a past crawl to understand what needs fixing in the next version

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Handle your browser control and parsing codes with simple procedural JavaScript

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Easy parser creation

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Trigger crawls on a schedule or by API, and connect our API to major storage platforms

Accessibility



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Want to learn more?

Talk to an expert to discuss your data collection needs and see our platform in action.

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Accessibility

ATTACHMENT 10

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Twitter Followers Scraper

Scrape Twitter followers and collect data such as: name, number of followers, profile URLs, images, company URL, and more.

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Accessibility

#	Image	Product type	Description	Rating	Delivery time
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					

Twitter

Use Bright Data's Web Scraper IDE,

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Twitter Followers Scraper use cases

Scrape Twitter followers to monitor consumer sentiment

Scrape Twitter followers to find new influencers

Protect your brand image by capturing users' conversations

Easily stay on top of new trending topics

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Twitter Followers Scraper Overview

- ✓ Easy data scraping for beginners
- ✓ Utilizes proprietary technology to unlock sites
- ✓ Infinitely scalable – collect as much data as you need quickly and completely
- ✓ Fully compliant with industry best practices and privacy regulations (GDPR, CCPA)

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Twitter profile

Collect profile data by profile URL

Twitter tweets

Collect tweets by tweet URL

Twitter keyword or hashtag

Collect tweets by keyword or #hashtag -
DEMO

Twitter keyword or hashtag

Sample Input

search

#love

Sample Output

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```
"id_str": "1417746521731133443",
"full_text": "All my heart to this movie 🌟👉❤️ #love #selfcare
#WEALLHUMAN https://t.co/m1lwyJNGF4",
"truncated": false,
"source": "\u003Ca
href=\u0022http://twitter.com/download/iphone\u0022
rel=\u0022nofollow\u0022\u003ETwitter for iPhone\u003C/a\u003E",
"in_reply_to_status_id": null,
"in_reply_to_status_id_str": null,
"in_reply_to_user_id": null,
"in_reply_to_user_id_str": null,
"in_reply_to_screen_name": null,
"user_id_str": "1414891075982880770",
"geo": null,
"coordinates": null,
"contributors": null,
```

Accessibility

Twitter profile

Sample Input

url

number_of_tweets

Sample Output

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Accessibility

```
"isVerified": true,
"bio": "Newton is a very handsome boy.",
"location": "California, USA",
"following": 2067,
"followers": 17192867,
"website_url": "http:\\\\spotify.link\\NetflixHub",
"posts": 43328,
"media_count": 10778,
"profile_background_image_url":
"https:\\\\pbs.twimg.com\\profile_banners\\16573941\\1648216530",
"profile_image_url":
"https:\\\\pbs.twimg.com\\profile_images\\1235992718171467776\\PaX2Bz1S_nor
"created": "Fri Oct 03 04:16:17 +0000 2008",
"handle": "netflix",
"collected_number_of_posts": 20,
```

Twitter tweets

Sample Input

url

<https://twitter.com/billieeilish/status/1288974168399069185>

Sample Output

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```
"1448695234561380352"  
  ],  
  "post_url":  
  "https:\\\\twitter.com\\NYUABetterTech\\status\\1448695234561380352",  
  "post_text": "Happening now! Join @NaDomagala, @maria_axente, Dave  
  Tarrant, Olivia Gambelin and hear responsible technology professionals from  
  different sectors sharing what skills they have found the most useful when  
  working in technology and data ethics.",  
  "post_time": "Thu Oct 14 17:00:34 +0000 2021",  
  "retweets": 0,  
  "comments": 0,  
  "likes": 1,  
  "status": "Ok"  
}
```

Accessibility

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Built-in debug tools

Trigger crawls on a schedule or by API, and connect our API to major storage platforms

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How to leverage a Twitter Followers Scraper for your business:

- Target the right populations that are interested in a particular industry or topic
- Build custom audiences for ad campaigns and to gain more followers for your business

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following

- Extract user info like: name, Twitter handle, followers/following, profile, URL/image/banner, location, tweets, retweets, and replies from profiles, hashtags, etc.

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Bright Data Ltd. (Headquarters), 4 Hamahshev St., Netanya 4250714, Israel (POB 8025)
229 W 36th St., New York, NY 10018, United States.

ATTACHMENT 11

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7 *jason.lao@haynesboone.com*
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Costa Mesa, California 92626
Telephone: (949) 202-3000
Facsimile: (949) 202-3001

11 *Attorneys for Plaintiff*
12 *X Corp.*

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 X CORP., a Nevada corporation,

16 Plaintiff,

17 vs.

18 BRIGHT DATA LTD., an Israeli
corporation,

19 Defendant.

Case No. 3:23-cv-03698-WHA

**PLAINTIFF X CORP.'S FIRST SET OF
REQUESTS FOR PRODUCTION TO
DEFENDANT BRIGHT DATA LTD.**

24 **PROPOUNDING PARTY:**

PLAINTIFF X CORP.

25 **RESPONDING PARTY:**

DEFENDANT BRIGHT DATA LTD.

26 **SET:**

ONE

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiff X Corp. (“X Corp.” or “Propounding Party”) by and through its undersigned counsel, hereby serves its First Set of Requests for Production upon Defendant Bright Data, Ltd. (“Bright Data” or “Responding Party”) and requests that Responding Party produce for inspection and copying the documents and things requested below 30 days after the date of service, at the law offices of Haynes and Boone, LLP, 600 Anton Blvd., Ste 700, Costa Mesa, CA, or at a place and time as may be agreed to by counsel. These Requests for Production shall be deemed to be continuing and Responding Party shall be obligated to change, supplement, and amend its answers, and provide additional documents and information, as prescribed by Rule 26(e) of the Federal Rules of Civil Procedure.

DEFINITIONS

The following definitions apply to the following requests. Notwithstanding any definition below, each word, term, or phrase used in these requests is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure.

1. “You”, “Your”, or “Bright Data” means and refers to Defendant Bright Data Ltd., including Bright Data Ltd.’s predecessors, subsidiaries, affiliates, officers, directors, and employees.

2. “X Corp.” means and refers to Plaintiff X Corp. and its predecessors, subsidiaries, affiliates, officers, directors, and employees.

3. “Action” means and refers to the above-captioned action.

4. “Customer” means any individual or entity that is using or has used any of Your tools, software, or services, is contracting or has contracted with You for the use of any of Your tools or software, or is contracting or has contracted with You for any service that uses any of Your tools or software, and/or purchasing any data or datasets from You.

5. “Customer located in California” means a Customer (1) that is incorporated in California; (2) whose headquarters, principal place of business, or personal residence is in California; or (3) for whom Your primary contact with the Customer is located in California.

6. “Expert Witnesses” means any person retained by You the disclosure of whom is

1 governed by Federal Rule of Civil Procedure 26(2).

2 7. “Investors” means an individual or entity providing capital or cash to You.

3 8. “Scraping Tool” means any tool, service, and/or software developed, distributed,
4 used, and/or promoted by You that collects information, or is capable of collecting information
5 from the X Platform, X Corp.’s computers, or X Corp.’s servers.

6 9. “Data” or “Dataset” means any data collected by Your Scraping Tool, collected
7 using Your Proxies, and/or offered for sale by You.

8 10. “Proxy” or “Proxies” means any tool, service, server, and/or software developed,
9 distributed, used, and/or promoted by You to allow customers to browse the internet
10 anonymously by redirecting their communications or requests, as advertised on Your website,
11 including at <https://brightdata.com/proxy-types>.

12 11. “Code” means all versions of computer code, change log, source code, computer
13 program, software, binaries, or executables.

14 12. “Logs” means all web logs, server logs, activity logs, or captured network traffic
15 logs.

16 13. “Terms” means X Corp.’s User Agreement, comprised of the Terms of Service,
17 Privacy Policy, and the Twitter Rules and Policies, that all users who register for an X account,
18 and/or view the X website or application agree to.

19 14. “X Platform” means the social media platform X (formerly known as Twitter),
20 accessible through twitter.com, X.com and various mobile and online applications.

21 15. “Person” and “Persons” are used broadly and include any of the following without
22 limitation: natural persons, corporations, limited or general partnerships, joint ventures, firms,
23 limited liability companies, associations, proprietorships, agencies, boards, authorities,
24 governmental entities, the federal government, any state government, any city government or
25 agency, or any county government or agency, or any other entity.

26 16. “Document” or “Documents” shall have the broadest meaning permitted under the
27 Federal Rules of Civil Procedure and relevant case law, and shall include without limitation all
28 written or graphic matter, whether stored, displayed, communicated, or transmitted, of every

1 kind or description, however produced or reproduced, whether draft or final, original or
2 reproduction, including: electronically stored information, written Communications, letters,
3 memoranda of conversations, interoffice Communications, records, statistical and financial
4 statements, charts, graphs, reports, minutes, emails, voicemails, sound or video recordings of any
5 type, contracts, agreements, computer diskettes, CDs or DVDs, or material similar to any of the
6 foregoing, however denominated, by whomever prepared, and to whomever addressed, which
7 are in Your possession, custody or control or to which You have, have had or can obtain access.

8 17. “Communication” or “Communications” has the broadest meaning permitted
9 under the Federal Rules of Civil Procedure, and includes any transmission of information
10 between two or more persons, whether by, without limitation: personal meeting, telephone,
11 letter, telegraph, e-mail, electronic bulletin board, electronic “chat room,” instant message, text
12 message, any other form of electronic correspondence, teleconference, facsimile, telex, or any
13 other means whatsoever.

14 18. “Concerning” and “Relating To” have their commonly understood meaning,
15 including comprising, reflecting, evidencing, constituting, pertaining to, dealing with, referring
16 to, respecting, consisting of, embodying, establishing, connected with, commenting on,
17 describing, analyzing, and/or showing.

18 19. As used herein, the terms “and” and “or” shall be construed either conjunctively
19 or disjunctively as necessary to bring within the scope of the request all responses that might
20 otherwise fall outside the scope of the request.

21 20. Whenever the singular is used herein it also includes the plural, and vice versa.
22 Whenever the conjunctive is used herein it also includes the disjunctive, and vice versa.

23 21. Each paragraph below shall operate and be responded to independently, and
24 unless otherwise indicated, no paragraph limits the scope of any other paragraph.

25 **INSTRUCTIONS**

26 1. The definitions incorporated and set forth in full herein shall have the broadest
27 possible meaning under the Federal Rules of Civil Procedure.

28 2. In answering each document request, You are requested to furnish All

Documents, however held or obtained, that are in Your possession, custody or control—including but not limited to legal (*de jure*), actual (*de facto*), constructive, and practical possession, custody, or control of Your officers, directors, employees, contractors, counsel, auditors, insurers, investigators, consultants, agents or other representatives acting for or on Your behalf, or that are maintained in Your records, Including, but not limited to, Documents obtained through discovery in this or any other litigation.

3. If You object to any request or portion thereof on the grounds that You contend it contains information that is privileged or otherwise immune from discovery, then provide all non-privileged information, and describe the privileged portion in a privilege log, identifying the redacted item produced and correlating the description of the withheld material thereto.

4. Should You find the meaning of any term in these requests to be unclear, You should assume a reasonable meaning, state what that assumed meaning is, and respond to the request on the basis of that assumed meaning.

5. Unless otherwise specified, the relevant time period for the requests below is from January 2017 to the present.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

All Data obtained from the X Platform using Your Scraping Tools or Your Proxies.

REQUEST FOR PRODUCTION NO. 2:

All Documents describing Your Scraping Tools, their features, functionality, and operation, including product requirements documentation, design specifications or mockups, engineering architecture documents, service blueprints or journey maps, and testing documentation.

REQUEST FOR PRODUCTION NO. 3:

All Documents used to describe Your Scraping Tools to employees responsible for selling or marketing them or providing customer support for them.

REQUEST FOR PRODUCTION NO. 4:

All Documents used to describe Your Scraping Tools, their features, functionality, and

operation to Customers, including marketing materials, installation or onboarding documentation, and support documentation.

REQUEST FOR PRODUCTION NO. 5:

All Documents used to describe Your Scraping Tools, their features, functionality, and operation to Investors.

REQUEST FOR PRODUCTION NO. 6:

All Documents concerning the development and testing of Your Scraping Tools, including documentation describing the development and testing of any methods, technology, or techniques to circumvent X Corp's anti-scraping measures, authentication requirements, IP blockers, and rate limits.

REQUEST FOR PRODUCTION NO. 7:

All Code Your Scraping Tools use or used to access, communicate with, or obtain Data from the X Platform, including any source code related to the operation of Your Scraping Tools and any changes to the Code during the relevant time period.

REQUEST FOR PRODUCTION NO. 8:

All Documents and Communications regarding the use of Your Proxies or Scraping Tools to avoid access or data limits of the X Platform.

REQUEST FOR PRODUCTION NO. 9:

All Logs that record the use of Your Scraping Tools on the X Platform.

REQUEST FOR PRODUCTION NO. 10:

All Logs that record the use of Your Proxies on the X Platform.

REQUEST FOR PRODUCTION NO. 11:

All Documents and Communications concerning X Corp's Terms, including All Documents and Communications regarding compliance with the Terms.

REQUEST FOR PRODUCTION NO. 12:

All Documents and Communications You distributed, published, or made available to current, prospective, or former Customers regarding Data or information obtained from the X Platform.

REQUEST FOR PRODUCTION NO. 13:

Documents sufficient to show how Data obtained from the X Platform is stored by You, including documents sufficient to identify the identity, location, and structure of All databases in which You store Data obtained from the X Platform.

REQUEST FOR PRODUCTION NO. 14:

All Documents and Communications related to any X accounts created or used by You, including the creation, use, and the termination or deletion of those accounts.

REQUEST FOR PRODUCTION NO. 15:

All Documents and Communications related to any current, prospective, or former Customers' use of the X Platform.

REQUEST FOR PRODUCTION NO. 16:

All Documents and Communications related to the collection of Data from, or access to, web pages with access and use restrictions including a password, log-in requirement, rate limiter, IP blockers, or other restriction.

REQUEST FOR PRODUCTION NO. 17:

All contracts and agreements between You and any current or former Customer related to any Data or Datasets from the X Platform.

REQUEST FOR PRODUCTION NO. 18:

All contracts and agreements between You and any current or former Customer related to Your Scraping Tools that were, are, or could be used for scraping Data from the X Platform.

REQUEST FOR PRODUCTION NO. 19:

All contracts and agreements between You and any current or former Customer related to Your Proxies that were, are, or could be used to collect Data from the X Platform.

REQUEST FOR PRODUCTION NO. 20:

All Communications between You and any current or former Customer related to any Data or Datasets from the X Platform.

REQUEST FOR PRODUCTION NO. 21:

All Communications between You and any current or former Customer related to Your

1 Scraping Tools that were, are, or could be used for scraping Data from the X Platform.

2 **REQUEST FOR PRODUCTION NO. 22:**

3 All Communications between You and any current or former Customer related to Your
4 Proxies that were, are, or could be used to collect Data from the X Platform.

5 **REQUEST FOR PRODUCTION NO. 23:**

6 Documents sufficient to identify all Persons involved in the design, manufacture, and
7 operation of Your Scraping Tool, Proxy, and Dataset products and services.

8 **REQUEST FOR PRODUCTION NO. 24:**

9 All Documents showing Your sales, revenues, profits, losses, costs, cash-flow, and
10 operating and capital expenditures on a monthly basis, including without limitation, invoices to
11 Customers.

12 **REQUEST FOR PRODUCTION NO. 25:**

13 Documents sufficient to show the amount of revenues You attribute to X Platform Data
14 broken down by Customer and by month.

15 **REQUEST FOR PRODUCTION NO. 26:**

16 All Documents showing revenue You have collected from Customers in exchange for
17 Datasets You scraped from the X Platform, including the amounts, payment methods, and
18 frequency of payments.

19 **REQUEST FOR PRODUCTION NO. 27:**

20 All Documents showing revenue You have collected from Customers in exchange for any
21 Scraping Tool You have offered to license or sell, including the amounts, payment methods, and
22 frequency of payments.

23 **REQUEST FOR PRODUCTION NO. 28:**

24 All Documents showing revenue You have collected from Customers in exchange for any
25 Proxy You have offered to license or sell, including the amounts, payment methods, and frequency
26 of payments.

27 **REQUEST FOR PRODUCTION NO. 29:**

28 Documents sufficient to show Your organizational, corporate, and management structure,

1 including office and business locations and addresses, the identities of each division or department,
2 the management of each division or department, and the identities of All persons who work within
3 each division or department and their locations.

4 **REQUEST FOR PRODUCTION NO. 30:**

5 Documents sufficient to show any advertisements, promotions, sales, or offers for Your
6 products and services (including Scraping Tools, Datasets, and Proxies) directed to any
7 prospective Customer or Customer located in California.

8 **REQUEST FOR PRODUCTION NO. 31:**

9 Documents and Communications related to any workshop, seminar, course, or other
10 informational or promotional session for Your products and services (including Scraping Tools,
11 Datasets, and Proxies) that You have held in California, including marketing Documents, lists of
12 attendees, and presentation materials.

13 **REQUEST FOR PRODUCTION NO. 32:**

14 Documents and Communications related to any workshop, seminar, course, or other
15 informational or promotional session for Your products and services (including Scraping Tools,
16 Datasets, and Proxies) that You have held that included participants from California, including
17 marketing Documents, lists of attendees, and presentation materials.

18 **REQUEST FOR PRODUCTION NO. 33:**

19 All Documents and Communications concerning Your lease, acquisition, or use of 415
20 Mission Street, San Francisco, CA.

21 **REQUEST FOR PRODUCTION NO. 34:**

22 All Documents and Communications concerning Your lease, acquisition, or use of any
23 office, commercial real estate, or dwelling in California.

24 **REQUEST FOR PRODUCTION NO. 35:**

25 Documents sufficient to identify any server located in California that is used or controlled
26 by You, including any third-party servers used by You. For purposes of this request, “located in
27 California,” means any server that is physically located in California, or any IP address or domain
28 name that geolocates to California.

REQUEST FOR PRODUCTION NO. 36:

Documents sufficient to identify Your current or former Customers located in California, including any contracts with those Customers.

REQUEST FOR PRODUCTION NO. 37:

Documents sufficient to identify All current and former employees, contractors, agents, or third-party companies hired or contracted by You, including any subsidiary, located in California.

REQUEST FOR PRODUCTION NO. 38:

Documents sufficient to identify All current and former employees or contractors located in California hired or contracted by You.

REQUEST FOR PRODUCTION NO. 39:

Documents sufficient to identify All current and former agents or third-party companies located in California hired or contracted by You.

REQUEST FOR PRODUCTION NO. 40:

Documents sufficient to identify any of Your subsidiaries located in California.

REQUEST FOR PRODUCTION NO. 41:

All Documents and Communications related to the use of the X Platform by any of Your current, prospective, or former Customers located in California.

REQUEST FOR PRODUCTION NO. 42:

Documents sufficient to show any transfer of funds and/or other payments between any bank account owned or operated by Bright Data, Ltd. and any bank account owned or operated by any affiliate or related entity, including without limitation, Bright Data, Inc.

REQUEST FOR PRODUCTION NO. 43:

Documents sufficient to show the corporate relationship between Bright Data Ltd. and any affiliate or related entity, including without limitation Bright Data, Inc., including any agreements between Bright Data Ltd. and Bright Data, Inc.

REQUEST FOR PRODUCTION NO. 44:

Documents sufficient to show the officers and directors of Bright Data Ltd. and any affiliate or related entity, including without limitation Bright Data, Inc.

REQUEST FOR PRODUCTION NO. 45:

Documents sufficient to show any of Your advertising or marketing or strategy budget spent, directed, earmarked, targeted, or related to advertising or marketing in California.

REQUEST FOR PRODUCTION NO. 46:

Documents sufficient to show any of Your advertising or marketing or strategy budget spent, directed, earmarked, targeted, or related to any Customer or prospective Customer in California.

REQUEST FOR PRODUCTION NO. 47:

All Documents reviewed in preparing or drafting responses to any interrogatory propounded by X Corp. in this Action, including any Documents identified in those responses.

REQUEST FOR PRODUCTION NO. 48:

All Documents You intend to rely on at any hearing or at trial in this Action.

REQUEST FOR PRODUCTION NO. 49:

All Documents concerning a Person or Document referred to in Your initial disclosures under Fed. R. Civ. P. 26(a)(1) or considered by You in preparing Your disclosures.

REQUEST FOR PRODUCTION NO. 50:

All Documents referred to by You in Your pleadings in this Action.

REQUEST FOR PRODUCTION NO. 51:

All Documents concerning Your document creation, document maintenance, document retention, or document destruction policies and practices from 2017 to the present.

REQUEST FOR PRODUCTION NO. 52:

Transcripts of all trial or deposition testimony ever given in a proceeding by a person You identified in Your initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) or whom You expect to call as a witness in connection with this Action.

REQUEST FOR PRODUCTION NO. 53:

All Documents concerning any settlement agreement (including without limitation release agreements, settlement agreements, and covenants not to sue) with any Person concerning Your products and services (including Scraping Tools, Datasets, and Proxies).

REQUEST FOR PRODUCTION NO. 54:

All agreements with any Person having any financial interest in Bright Data or the outcome of this Action, including documents sufficient to show the nature and extent of the financial interest for each such Person.

REQUEST FOR PRODUCTION NO. 55:

Documents reflecting any taxes you have paid in California.

REQUEST FOR PRODUCTION NO. 56:

All print and electronic promotional and marketing materials, including website pages, for you products and services that mention, refer, or relate to Twitter or the X Platform.

REQUEST FOR PRODUCTION NO. 57:

All documents and communications that mention, refer, or relate to data scraped from the X Platform and/or efforts to scrape data from the X Platform.

Dated: November 13, 2023

Respectfully submitted,

HAYNES AND BOONE, LLP

By: /s/ Jason T. Lao
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Jason P. Bloom (*Pro Hac Vice*)
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Telephone: (949) 202-3000
Facsimile: (949) 202-3001
Attorneys for Plaintiff X Corp.

CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the age of 18 years and not a party to the within action. I am employed in the County of Orange, State of California, within which county the subject service occurred. My business address is 600 Anton Boulevard, Suite 700, Costa Mesa, California 92626.

On *November 13, 2023*, I served the following document described as: ***PLAINTIFF X CORP.'S FIRST SET OF REQUESTS FOR PRODUCTION TO DEFENDANT BRIGHT DATA LTD.*** on the interested party in this action, addressed as follows, and in the manner so indicated:

Colin Kass
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Los Angeles, CA 90067
Email: sladak@proskauer.com

Counsel for Defendant
Bright Data Ltd.

☒ **BY ELECTRONIC DELIVERY.** I caused a true and correct copy of such document to be served via electronic delivery to the interested parties in this action as indicated above.

I declare that I am employed in the offices of a member of the bar of this Court at whose direction this service was made. Executed on *November 13, 2023*, at San Clemente, California.

/s/Tara Hamilton
Tara Hamilton

ATTACHMENT 12

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11 *Attorneys for Plaintiff*
12 *X Corp.*

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 X CORP., a Nevada corporation,

16 Plaintiff,

17 vs.

18 BRIGHT DATA LTD., an Israeli
corporation,

19 Defendant.

Case No. 3:23-cv-03698-WHA

**PLAINTIFF X CORP.'S FIRST SET OF
INTERROGATORIES TO DEFENDANT
BRIGHT DATA LTD.**

20
21
22
23
24 **PROPOUNDING PARTY:**

PLAINTIFF X CORP.

25 **RESPONDING PARTY:**

DEFENDANT BRIGHT DATA LTD.

26 **SET:**

ONE

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff X Corp. (“X Corp.” or “Propounding Party”) hereby requests that Defendant Bright Data Ltd. (“Bright Data” or “Responding Party”) answer the following Interrogatories in writing and under oath within thirty (30) days after the service of these Interrogatories in accordance with the definitions and instructions applicable hereto. These Interrogatories shall be deemed to be continuing and Defendant shall be obligated to change, supplement, and amend its answers, and provide additional documents and information, as prescribed by Rule 26(e) of the Federal Rules of Civil Procedure.

DEFINITIONS

The following definitions apply to the following Interrogatories. Notwithstanding any definition below, each word, term, or phrase used in these Interrogatories is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure.

1. “You,” “Your,” or “Bright Data” means and refers to Defendant Bright Data Ltd., including Bright Data Ltd.’s predecessors, subsidiaries, affiliates, officers, directors, and employees.

2. “X Corp.” means and refers to Plaintiff X Corp. and its predecessors, subsidiaries, affiliates, officers, directors, and employees.

3. “Action” means and refers to the above-captioned action.

4. “Customer” means any individual or entity that is using or has used any of Your tools, software, or services, is contracting or has contracted with You for the use of any of Your tools or software, or is contracting or has contracted with You for any service that uses any of Your tools or software, and/or purchasing any data or datasets from You.

5. “Customer located in California” means a Customer (1) that is incorporated in California; (2) whose headquarters, principal place of business, or personal residence is in California; or (3) for whom Your primary contact with the Customer is located in California.

6. “Scraping Tool” means any tool, service, and/or software developed, distributed, used, and/or promoted by You that collects information, or is capable of collecting information from the X Platform, X Corp.’s computers, or X Corp.’s servers.

1 7. “Data” or “Dataset” means any data collected by Your Scraping Tool, collected
2 using Your Proxies, and/or offered for sale by You.

3 8. “Proxy” or “Proxies” means any tool, service, server, and/or software developed,
4 distributed, used, and/or promoted by You to allow customers to browse the internet
5 anonymously by redirecting their communications or requests, as advertised on Your website,
6 including at <https://brightdata.com/proxy-types>.

7 9. “Logs” means all web logs, server logs, activity logs, or captured network traffic
8 logs.

9 10. “X Platform” means the social media platform X (formerly known as Twitter),
10 accessible through twitter.com, X.com and various mobile and online applications.

11 11. “Person” and “Persons” are used broadly and include any of the following without
12 limitation: natural persons, corporations, limited or general partnerships, joint ventures, firms,
13 limited liability companies, associations, proprietorships, agencies, boards, authorities,
14 governmental entities, the federal government, any state government, any city government or
15 agency, or any county government or agency, or any other entity.

16 12. “Document” or “Documents” shall have the broadest meaning permitted under the
17 Federal Rules of Civil Procedure and relevant case law, and shall include without limitation all
18 written or graphic matter, whether stored, displayed, communicated, or transmitted, of every
19 kind or description, however produced or reproduced, whether draft or final, original or
20 reproduction, including: electronically stored information, written Communications, letters,
21 memoranda of conversations, interoffice Communications, records, statistical and financial
22 statements, charts, graphs, reports, minutes, emails, voicemails, sound or video recordings of any
23 type, contracts, agreements, computer diskettes, CDs or DVDs, or material similar to any of the
24 foregoing, however denominated, by whomever prepared, and to whomever addressed, which
25 are in Your possession, custody or control or to which You have, have had or can obtain access.

26 13. “Communication” or “Communications” has the broadest meaning permitted
27 under the Federal Rules of Civil Procedure, and includes any transmission of information
28 between two or more persons, whether by, without limitation: personal meeting, telephone,

1 letter, telegraph, e-mail, electronic bulletin board, electronic “chat room,” instant message, text
2 message, any other form of electronic correspondence, teleconference, facsimile, telex, or any
3 other means whatsoever.

4 14. “Concerning” and “Relating To” have their commonly understood meaning,
5 including comprising, reflecting, evidencing, constituting, pertaining to, dealing with, referring
6 to, respecting, consisting of, embodying, establishing, connected with, commenting on,
7 describing, analyzing, and/or showing.

8 15. As used herein, the terms “and” and “or” shall be construed either conjunctively
9 or disjunctively as necessary to bring within the scope of the request all responses that might
10 otherwise fall outside the scope of the request.

11 16. Whenever the singular is used herein it also includes the plural, and vice versa.
12 Whenever the conjunctive is used herein it also includes the disjunctive, and vice versa.

13 17. Each paragraph below shall operate and be responded to independently, and
14 unless otherwise indicated, no paragraph limits the scope of any other paragraph.

15 **INSTRUCTIONS**

16 1. The definitions incorporated and set forth in full herein shall have the broadest
17 possible meaning under the Federal Rules of Civil Procedure.

18 2. All Interrogatories must be answered fully unless objected to in good faith. In the
19 event that any Interrogatory cannot be answered fully after the exercise of reasonable diligence,
20 You shall furnish as complete an answer as possible, explain in detail the reasons why You
21 cannot give a full answer, state what must be done in order to answer the Interrogatory fully, and
22 estimate when You will be able to answer the Interrogatory fully.

23 3. If You contend that a portion of any item contains information that is privileged
24 or otherwise immune from discovery, then provide all non-privileged information, and describe
25 the privileged portion in a privilege log, identifying the redacted item produced and correlating
26 the description of the withheld material thereto.

27 4. If You object to any portion of an Interrogatory, state Your objections and answer
28 the unobjectionable portion of the Interrogatory.

7. Unless otherwise specified, the relevant time period for the interrogatories below is from January 2017 to the present.

INTERROGATORY NO. 1:

INTERROGATORY NO. 2:

INTERROGATORY NO. 3:

INTERROGATORY NO. 4:

INTERROGATORY NO. 5:

INTERROGATORY NO. 6:

PLAINTIFF X CORP.'S FIRST SET OF INTERROGATORIES TO DEFENDANT BRIGHT DATA LTD.

INTERROGATORY NO. 7:

Identify all current, former, or prospective Customers located in California with whom you contracted or have attempted to contract for use of any of your Scraping Tools or to license or acquire Datasets that include Data collected from the X Platform, including the name, e-mail address, mailing address, and phone number of Your primary contact at each Customer.

INTERROGATORY NO. 8:

Identify all Scraping Tools, Proxies, and Datasets that You have marketed, promoted, advertised, offered for sale, or sold to prospective or current Customers located in California.

INTERROGATORY NO. 9:

Identify all servers that are located in California that are used or controlled by You, including any third-party server. For purposes of this Interrogatory, “located in California,” means any server that is physically located in California, or any IP address or domain name that geolocates to California.

INTERROGATORY NO. 10:

Describe the operation of each of Your California Proxies, as that term is used on Your website, see <https://brightdata.com/locations/united-states/california>, including the type and configuration of each Proxy, the way Customers use each Proxy, the services Bright Data offers through each Proxy, and any Data that is collected using each Proxy, including the means by which any Data is collected and transmitted to You, any Logs that record the operation of the Proxy, and where the Data is stored.

INTERROGATORY NO. 11:

Identify All employees, contractors, and agents of Yours who have resided or worked in California. Your response should include each individual’s current and former titles, time period during which the individual held each title, a description of the individual’s job responsibilities, and the location where the individual resides or works.

INTERROGATORY NO. 12:

Identify each office or location You have ever owned, leased, or claimed to have in California, including the timeframe when you owned, leased, or claimed to have the office or

1 location, the purpose of the office or location, and the personnel who worked at the office or
2 location.

3
4 Dated: November 13, 2023

5 Respectfully submitted,

6
7 **HAYNES AND BOONE, LLP**

8 By: /s/ Jason T. Lao
9 David H. Harper (*Pro Hac Vice*)
10 david.harper@haynesboone.com
11 Jason P. Bloom (*Pro Hac Vice*)
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18 Telephone: (949) 202-3000
Facsimile: (949) 202-3001
19 *Attorneys for Plaintiff X Corp.*
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the age of 18 years and not a party to the within action. I am employed in the County of Orange, State of California, within which county the subject service occurred. My business address is 600 Anton Boulevard, Suite 700, Costa Mesa, California 92626.

On ***November 13, 2023***, I served the following document described as: ***PLAINTIFF X CORP.'S FIRST SET OF INTERROGATORIES TO DEFENDANT BRIGHT DATA LTD.*** on the interested party in this action, addressed as follows, and in the manner so indicated:

Colin Kass
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Email: sladak@proskauer.com

Counsel for Defendant
Bright Data Ltd.

☒ **BY ELECTRONIC DELIVERY.** I caused a true and correct copy of such document to be served via electronic delivery to the interested parties in this action as indicated above.

I declare that I am employed in the offices of a member of the bar of this Court at whose direction this service was made. Executed on ***November 13, 2023***, at San Clemente, California.

/s/Tara Hamilton
Tara Hamilton

ATTACHMENT 13

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Telephone: (949) 202-3000
Facsimile: (949) 202-3001

11 *Attorneys for Plaintiff*
12 *X Corp.*

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 X CORP., a Nevada corporation,

16 Plaintiff,

17 vs.

18 BRIGHT DATA LTD., an Israeli
corporation,

19 Defendant.

Case No. 3:23-cv-03698-WHA

**PLAINTIFF X CORP.'S FIRST SET OF
REQUESTS FOR ADMISSION TO
DEFENDANT BRIGHT DATA LTD.**

24 **PROPOUNDING PARTY:**

PLAINTIFF X CORP.

25 **RESPONDING PARTY:**

DEFENDANT BRIGHT DATA LTD.

26 **SET:**

ONE

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff X Corp. (“X Corp.” or “Propounding Party”) by and through its undersigned counsel, hereby serves its First Set of Requests for Admission upon Defendant Bright Data, Ltd. (“Bright Data” or “Responding Party”) and requests that Responding Party respond 30 days after the date of service, at the law offices of Haynes and Boone, LLP, 600 Anton Blvd., Ste 700, Costa Mesa, CA, or at a place and time as may be agreed to by counsel. These Requests for Admission shall be deemed to be continuing and Responding Party shall be obligated to change, supplement, and amend its answers, and provide additional documents and information, as prescribed by Rule 26(e) of the Federal Rules of Civil Procedure.

DEFINITIONS

The following definitions apply to the following requests. Notwithstanding any definition below, each word, term, or phrase used in these requests is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure.

1. “You”, “Your”, or “Bright Data” means and refers to Defendant Bright Data Ltd., including Bright Data Ltd.’s predecessors, subsidiaries, affiliates, officers, directors, and employees.

2. “X Corp.” means and refers to Plaintiff X Corp. and its predecessors, subsidiaries, affiliates, officers, directors, and employees.

3. “Action” means and refers to the above-captioned action.

4. “Customer” means any individual or entity that is using or has used any of Your tools, software, or services, is contracting or has contracted with You for the use of any of Your tools or software, or is contracting or has contracted with You for any service that uses any of Your tools or software, and/or purchasing any data or datasets from You.

5. “Customer located in California” means a Customer (1) that is incorporated in California; (2) whose headquarters, principal place of business, or personal residence is in California; or (3) for whom Your primary contact with the Customer is located in California.

6. “Scraping Tool” means any tool, service, and/or software developed, distributed, used, and/or promoted by You that collects information, or is capable of collecting information

1 from the X Platform, X Corp.'s computers, or X Corp.'s servers.

2 7. "Data" or "Dataset" means any data collected by Your Scraping Tool, collected
3 using Your Proxies, and/or offered for sale by You.

4 8. "Proxy" or "Proxies" means any tool, service, server, and/or software developed,
5 distributed, used, and/or promoted by You to allow customers to browse the internet
6 anonymously by redirecting their communications or requests, as advertised on Your website,
7 including at <https://brightdata.com/proxy-types>.

8 9. "Terms" means X Corp.'s User Agreement, comprised of the Terms of Service,
9 Privacy Policy, and the Twitter Rules and Policies, that all users who register for an X account,
10 and/or view the X website or application agree to.

11 10. "X Platform" means the social media platform X (formerly known as Twitter),
12 accessible through twitter.com, X.com and various mobile and online applications.

13 11. "Person" and "Persons" are used broadly and include any of the following without
14 limitation: natural persons, corporations, limited or general partnerships, joint ventures, firms,
15 limited liability companies, associations, proprietorships, agencies, boards, authorities,
16 governmental entities, the federal government, any state government, any city government or
17 agency, or any county government or agency, or any other entity.

18 12. As used herein, the terms "and" and "or" shall be construed either conjunctively
19 or disjunctively as necessary to bring within the scope of the request all responses that might
20 otherwise fall outside the scope of the request.

21 13. Whenever the singular is used herein it also includes the plural, and vice versa.
22 Whenever the conjunctive is used herein it also includes the disjunctive, and vice versa.

23 14. Each paragraph below shall operate and be responded to independently, and
24 unless otherwise indicated, no paragraph limits the scope of any other paragraph.

25 **INSTRUCTIONS**

26 1. The definitions incorporated and set forth in full herein shall have the broadest
27 possible meaning under the Federal Rules of Civil Procedure.

28 2. Should You find the meaning of any term in these requests to be unclear, You

1 should assume a reasonable meaning, state what that assumed meaning is, and respond to the
2 request on the basis of that assumed meaning.

3 3. Unless otherwise specified, the relevant time period for the requests below is from
4 January 2017 to the present.

5 **REQUESTS FOR ADMISSION**

6 **REQUEST FOR ADMISSION NO. 1:**

7 Admit that You have licensed or sold at least one of Your Scraping Tools to a Customer
8 located in California.

9 **REQUEST FOR ADMISSION NO. 2:**

10 Admit that You have licensed or sold at least five of Your Scraping Tools to a Customer
11 located in California.

12 **REQUEST FOR ADMISSION NO. 3:**

13 Admit that You have licensed or sold at least 20 of Your Scraping Tools to a Customer
14 located in California.

15 **REQUEST FOR ADMISSION NO. 4:**

16 Admit that You have licensed or sold at least 100 of Your Scraping Tools to a Customer
17 located in California.

18 **REQUEST FOR ADMISSION NO. 5:**

19 Admit that You have licensed or sold at least one of Your X Corp. Datasets to a
20 Customer located in California.

21 **REQUEST FOR ADMISSION NO. 6:**

22 Admit that You have licensed or sold at least five of Your X Corp. Datasets to a
23 Customer located in California.

24 **REQUEST FOR ADMISSION NO. 7:**

25 Admit that You have licensed or sold at least 20 of Your X Corp. Datasets to a Customer
26 located in California.

27 **REQUEST FOR ADMISSION NO. 8:**

28 Admit that You have licensed or sold at least 100 of Your X Corp. Datasets to a

Customer located in California.

REQUEST FOR ADMISSION NO. 9:

Admit that You have licensed or sold at least one of Your Proxies to a Customer located in California.

REQUEST FOR ADMISSION NO. 10:

Admit that You have licensed or sold at least five of Your Proxies to a Customer located in California.

REQUEST FOR ADMISSION NO. 11:

Admit that You have licensed or sold at least 20 of Your Proxies to a Customer located in California.

REQUEST FOR ADMISSION NO. 12:

Admit that You have licensed or sold at least 100 of Your Proxies to a Customer located in California.

REQUEST FOR ADMISSION NO. 13:

Admit that You have at least one employee who resides in California.

REQUEST FOR ADMISSION NO. 14:

Admit that You have at least five employees who reside in California.

REQUEST FOR ADMISSION NO. 15:

Admit that You have at least 10 employees who reside in California.

REQUEST FOR ADMISSION NO. 16:

Admit that You have at least 20 employees who reside in California.

REQUEST FOR ADMISSION NO. 17:

Admit that in 2022, You opened a “San Francisco office,” as mentioned on Your webpage entitled “About Bright Data,” available at <https://brightdata.com/about>.

REQUEST FOR ADMISSION NO. 18:

Admit that You advertise products or services to extract public web data from California websites.

REQUEST FOR ADMISSION NO. 19:

Admit that You license or sell products or services to extract public web data from California websites.

REQUEST FOR ADMISSION NO. 20:

Admit that You created or used at least one X Corp. account.

REQUEST FOR ADMISSION NO. 21:

Admit that You agreed to X Corp's Terms.

REQUEST FOR ADMISSION NO. 22:

Admit that You used automated means to collect Data from the X Platform.

Dated: November 13, 2023

Respectfully submitted,

HAYNES AND BOONE, LLP

By: /s/ Jason T. Lao
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david.harper@haynesboone.com
Jason P. Bloom (*Pro Hac Vice*)
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Telephone: (949) 202-3000
Facsimile: (949) 202-3001
Attorneys for Plaintiff X Corp.

CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the age of 18 years and not a party to the within action. I am employed in the County of Orange, State of California, within which county the subject service occurred. My business address is 600 Anton Boulevard, Suite 700, Costa Mesa, California 92626.

On *November 13, 2023*, I served the following document described as: ***PLAINTIFF X CORP.'S FIRST SET OF REQUESTS FOR ADMISSION TO DEFENDANT BRIGHT DATA LTD.*** on the interested party in this action, addressed as follows, and in the manner so indicated:

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☒ **BY ELECTRONIC DELIVERY.** I caused a true and correct copy of such document to be served via electronic delivery to the interested parties in this action as indicated above.

I declare that I am employed in the offices of a member of the bar of this Court at whose direction this service was made. Executed on *November 13, 2023*, at San Clemente, California.

/s/Tara Hamilton
Tara Hamilton

ATTACHMENT 14

1 **UNITED STATES DISTRICT COURT**
2 **NORTHERN DISTRICT OF CALIFORNIA**

3
4 X CORP.,

5 Plaintiff,

Case No. 3:23-CV-03698-WHA

6 v.

7 BRIGHT DATA LTD.,

8 Defendant.
9

10 **BRIGHT DATA’S RESPONSES AND OBJECTIONS**
11 **TO X CORP.’S FIRST SET OF INTERROGATORIES**

12 Bright Data submits the following Responses and Objections (“Responses”) to X Corp.’s
13 First Set of Interrogatories (the “Interrogatories”). Upon request, Bright Data is available to meet
14 and confer with X Corp. to discuss its Responses, its General and Specific Objections, and the
15 scope of discovery set forth in these Responses. Bright Data reserves its right to supplement these
16 objections and responses.

17 **GENERAL OBJECTIONS**

18 Bright Data asserts the following General Objections (“GOs”), which are incorporated by
19 reference into each of the Specific Responses and Objections below. Along with Bright Data’s
20 Specific Responses and Objections, the GOs govern the scope of any response made by Bright
21 Data to the Interrogatories and are neither waived nor limited by Bright Data’s Specific Responses
22 and Objections.

23 1. ***Discovery is Premature.*** Bright Data objects to the Interrogatories to the extent
24 they seek information that is not appropriate or proportional for discovery prior to resolution of
25 Bright Data’s Motion to Stay Discovery. Bright Data will not provide substantive responses to
26 these Interrogatories until the Court rules on that motion.
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2. ***Jurisdictional Discovery.*** Bright Data objects to the Interrogatories to the extent they seek jurisdictional discovery. In the ordinary course, plaintiffs are required to seek leave of the Court to conduct jurisdictional discovery. *See, e.g., Chapman v. Krutonog*, 256 F.R.D. 645, 648 (D. Haw. 2009) (“In order to obtain leave to conduct jurisdictional discovery, Plaintiffs must make a preliminary showing of jurisdiction [and] specify what facts they expect to uncover during discovery and how those facts would support personal jurisdiction.”). However, X failed to do so. And even if X had properly moved the Court for jurisdictional discovery, it would not be entitled to it, as Bright Data’s 12(b)(2) motion raises entirely law-based, facial challenges to the Complaint. *See Ross v. Skanska USA Civil W. Rocky Mountain Dist., Inc.*, 2014 WL 806261, *1 (N.D. Cal. 2014) (rejecting argument that even a “bare bones” complaint entitles plaintiffs to jurisdictional discovery to “explore whether there is general or specific jurisdiction”); *Smith v. U.S. Dep’t of Agric.*, 2016 WL 4179786, *5 (N.D. Cal. 2016) (“Discovery [is] immaterial to [defendant’s] facial jurisdictional challenge.”); *Ctr. for Biological Diversity v. Army Corps of Eng’rs*, 2014 WL 12923196, *7 (C.D. Cal. 2014) (“[J]urisdictional discovery is inappropriate because Defendants ... assert facial, not factual, attacks on jurisdiction.”). Therefore, absent Court order or further agreement of the parties, Bright Data will not respond to any requests for jurisdictional discovery until such time as the Court gives its leave for such discovery to take place.

3. ***Merits Discovery Related to Claims Subject to Bright Data’s Personal Jurisdiction Challenge.*** Bright Data objects to the Interrogatories to the extent they seek merits discovery relating to Counts II through VI of the Complaint, including X’s unjust enrichment, tortious interference, trespass to chattels, misappropriation, and Unfair Competition Law claims, on the grounds that the Court lacks personal jurisdiction over those claims. *See* Bright Data’s Motion to Dismiss the Amended Complaint. Courts may not order merits-based discovery until plaintiffs have both properly pled and made a sufficient *prima facie* showing of personal jurisdiction. *Sinochem Int’l Co. v. Malay. Int’l Shipping Corp.*, 549 U.S. 422, 431 (2007) (holding that courts may not proceed to the merits “without first determining that it has jurisdiction over

1 the category of claim in suit (subject-matter jurisdiction) and the parties (personal jurisdiction).”).
2 Accordingly, absent Court order or further agreement of the parties, Bright Data will not search
3 for or produce information relating to Counts II through VI, including information relating to
4 third-party use of Bright Data’s scraping and proxy services.

5 4. ***Third-Party Use of Bright Data’s Proxy or Scraping Services.*** Bright Data objects
6 to the Interrogatories to the extent they seek information relating to any scraping activity by third-
7 parties using Bright Data’s proxy or scraping services. Such information is not relevant or
8 proportional to X’s contract claim. On September 25, 2023, Bright Data terminated its contractual
9 relationship with X. Four days *later*, X issued new Terms, adding for the first time a new section
10 titled “Misuse of the Services.” In this new section, X asserts, for the first time, that “[i]t is also
11 a violation of these Terms to facilitate or assist others in violating these Terms, including by
12 distributing products or services that enable or encourage violation of these Terms.” This
13 amendment was litigation-driven and is not binding on Bright Data, because Bright Data had
14 already rejected the Terms. The version of the Terms in effect prior to Bright Data’s account
15 termination did not contain this prohibition. Nor did the initial Complaint (ECF 1) cite to any
16 provision of the Terms then in effect making it a violation “to facilitate or assist others in violating
17 [the] Terms” or to “distribut[e] products or services that enable or encourage violation of [the]
18 Terms.” Because the sale or distribution of “products or services that enable or encourage” others
19 to violate the Terms does not constitute a breach of any contract between X and Bright Data,
20 discovery relating to such products and services, if any, is not relevant and proportional to Count
21 I. Nor is such discovery permitted for purposes of Counts II-IV, since the Court lacks personal
22 jurisdiction over Bright Data for purposes of these claims, as set forth in GO 3. Accordingly,
23 except as expressly set forth below, absent Court order or further agreement of the parties, Bright
24 Data will not search for or produce any information relating to the development, sale, distribution,
25 or use by third-parties of Bright Data’s proxy or scraping services.

26 5. ***Third-Party Scraping by Non-California Customers.*** Even if the Court has
27 personal jurisdiction over certain aspects of X’s non-contract claims (Counts II-VI), such
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1 jurisdiction would not extend to claims not involving Bright Data conduct expressly aimed at
2 California. This would include, at a minimum, any use of Bright Data's services by non-California
3 customers. Accordingly, absent Court order or further agreement of the parties, Bright Data will
4 not respond to the Interrogatories with information relating to scraping by third parties outside
5 California.

6 6. ***Customer Identifiable Information.*** Bright Data objects to the Interrogatories to
7 the extent they seek information relating to specific customers. *First*, Bright Data objects to such
8 Interrogatories because the production of customer-identifiable information is not proportional or
9 appropriate (and may, at most, be relevant to damages, which have not been specifically alleged
10 or identified). *Second*, Bright Data objects to such Interrogatories because the *production* of such
11 information will cause significant competitive harm to Bright Data, and will interfere with Bright
12 Data's commercial relationships. X uses its own internal teams and outside counsel as enforcers
13 of X's Terms of Service. When X learns of conduct it does not like, it sues or sends cease-and-
14 desist letters threatening legal action. In most cases, the recipients of these suits or letters do not
15 have the resources to litigate against X, and therefore cease engaging in the alleged conduct,
16 ***regardless*** of its actual legality. Once X's outside counsel learns of the identity of these customers,
17 there will be no way to prevent them from engaging in these so-called "enforcement" actions. ***It***
18 ***would be the equivalent of letting the fox in the hen house.*** These threats have the ability to
19 substantially interfere with Bright Data's customer relationships, and with its customers' own
20 businesses. Importantly, X does not deny that it would or could use the information it seeks in
21 discovery to identify additional targets for future "enforcement" or harassment. Indeed, once X
22 learns of a third-party from the discovery materials, it would be almost impossible to make X's
23 counsel forget their identity in future enforcement contexts. ***Accordingly, absent Court order or***
24 ***further agreement of the parties, Bright Data will not search for or produce information***
25 ***containing customer identifiable information. Bright Data will also redact any customer-***
26 ***identifiable information from any document it otherwise agrees to produce.***

1 7. ***Conduct Relating to Scraping of Websites Other Than X.*** X has not asserted any
2 claim relating to the use of Bright Data’s services for purposes other than scraping X. Information
3 that does not expressly relate to the scraping of X is neither relevant nor proportional. Accordingly,
4 absent Court order or further agreement of the parties, Bright Data will not search for or produce
5 information relating to the scraping of sites other than X.

6 8. ***Relevant Scraping Services.*** As noted, Bright Data objects to the Interrogatories
7 to the extent they seek information that does not relate to the scraping of X, on the grounds of
8 relevance and proportionality. Without limiting the foregoing, Bright Data objects to X’s
9 definitions of “Scraping Tool,” “Data,” “Dataset,” “Proxy,” “Proxies,” “Code,” and “Logs” to the
10 extent such terms are not limited to instances in which such Scraping Tools, Datasets, or Proxies
11 are used for the scraping of X. In responding to the Interrogatories, Bright Data will use the term
12 “Scraping Services” to refer to Bright Data’s proxy network, its Data Collector Service (both self-
13 managed and fully-managed), and dataset sales when used to scrape data from third-party websites.
14 Bright Data will use the term “Relevant Scraping Services” or “Relevant Bright Data Scraping
15 Services” to refer to instances in which the Scraping Services are used to scrape data from X.
16 Unless otherwise specified, absent Court order or further agreement of the parties, Bright Data will
17 not search for or produce information that does not relate to the Relevant Scraping Services.

18 9. ***Public Search Mechanics.*** Bright Data objects to the Interrogatories to the extent
19 they seek information about the technological measures that Bright Data uses to address X’s anti-
20 scraping technology, including IP blockers, CAPTCHAs, and rate limiters because such
21 information is neither relevant nor proportional, and the disclosure of this information could cause
22 grave commercial and competitive injury. Accordingly, absent Court order or further agreement
23 of the parties, Bright Data will not search for or produce information relating to X’s detection
24 system or the steps by which non-members may access public information posted on X’s sites.

25 10. ***Alter Ego Discovery.*** Bright Data objects to the Interrogatories to the extent they
26 seek information about the activities of any non-party affiliate of Bright Data. Such information
27 is not relevant to either the merits of any claim, or jurisdiction. *See Scanlon v. Curtis Int’l Ltd.*,
28

1 465 F. Supp. 3d 1054, 1067-68 (E.D. Cal. 2020) (denying jurisdictional discovery under an alter
2 ego theory).

3 11. **General Protective Order.** Bright Data will not produce any confidential or
4 competitively sensitive information prior to entry of a suitable general protective order and objects
5 to the Interrogatories to the extent they call for the same.

6 12. **Relevant Period.** Bright Data objects to the Interrogatories to the extent they call
7 for the production of information relating to the search for or collection of information (or the use
8 or sale of such information) after September 25, 2023. As Bright Data has previously explained,
9 there is no extant contract between Bright Data and X, and thus, any discovery after September
10 25, 2023 would not relate to X's breach of contract claim (Count I), but X's other non-contract
11 claims (Counts II-VI). As explained in GOs 2 and 3, such discovery is impermissible until Bright
12 Data's jurisdictional challenge has been resolved. Bright Data objects to the Interrogatories to the
13 extent they call for information pre-dating January 26, 2019. Accordingly, absent Court order or
14 further agreement of the parties, Bright Data will not search for or produce information dated after
15 January 26, 2019 and September 25, 2023.

16 13. **Privilege.** Bright Data objects to the Interrogatories to the extent that they call for
17 the disclosure of information protected by any privilege, doctrine, or protection, including without
18 limitation the attorney-client privilege, the work product doctrine, and any other applicable
19 privilege or protection. Nothing contained in these objections and responses is intended to be, or
20 in any way constitutes, a waiver of any applicable privilege or immunity. Any inadvertent
21 production of information protected by the attorney-client privilege, prepared in anticipation of
22 litigation or trial, or otherwise protected or immune from discovery shall not constitute a waiver
23 of any privilege nor of any other basis for objecting to the use of such material or its subject matter.
24 Bright Data expressly reserves the right to object to the use or introduction of such information.

25 14. **Short-Form Objections.** In setting forth these Objections and Specific Objections,
26 Bright Data shall use the term "Proportionality" to mean that the Interrogatory seeks information
27 that is not "proportional to the needs of the case" under Fed. R. Civ. P. 26(b)(1). Bright Data uses
28

1 the terms “Breadth” and/or “Burden” to mean that (i) the Interrogatory is overly broad and/or
2 unduly burdensome; (ii) the discovery sought is unreasonably cumulative or duplicative of other
3 information Bright Data has offered to produce in response to a document request under Fed. R.
4 Civ. P. 34(a); and/or (iii) the burden or expense of the proposed discovery outweighs its likely
5 benefit under Fed. R. Civ. P. 26(b). Bright Data uses the term “Relevance” to mean that the
6 discovery requested is neither relevant to any party’s claim or defense under the Federal Rules of
7 Evidence nor proportional to the needs of the case or is otherwise outside the scope of Fed. R. Civ.
8 P. 26(b)(1). Bright Data uses the term “Ambiguity” to mean the Interrogatory is vague and
9 ambiguous. Bright Data uses the term “Privilege” to mean that the discovery requested seeks
10 information protected by the attorney-client privilege, the work product doctrine, joint defense or
11 common interest privileges, or any other applicable privilege.

12 15. ***The Rules Govern.*** Bright Data objects to the Interrogatories, including the
13 Definitions and Instructions, to the extent that they are inconsistent with or exceed the obligations
14 imposed by the Federal Rules of Civil Procedure, any Local Rule, or applicable order. In
15 responding to these Interrogatories, Bright Data will comply with the requirements of the Federal
16 Rules of Civil Procedure, the Local Rules, and applicable orders of the Court.

17 16. ***Use of Instructions and Definitions.*** Bright Data objects to X’s use of instructions
18 and definitions in its Interrogatories as overly burdensome, unreasonable, and contrary to the
19 Court’s Local Rules. Judge Alsup Supp. Standing Order re Initial CMC § 17 (“The fashionable
20 use of ‘Instructions’ and ‘Definitions’ in document requests and interrogatories has a strong
21 tendency, when read into the requests and interrogatories, to exacerbate burden and this alone can
22 sometimes render them unreasonable. Under the Federal Rules, there is no need for ‘Instructions’
23 and ‘Definitions.’”).

24 17. ***Objection to Definition 1.*** Bright Data objects to Definition 1 on the grounds that
25 it is overbroad, would impose undue burden, is disproportional, and is inconsistent with the
26 requirements of the Rules. Bright Data will respond to the Interrogatories on behalf of Bright Data
27 Ltd. only.

1 18. ***Objection to Definition 4.*** Bright Data objects to the definition of “Customer” on
2 the grounds that, as defined, it renders the Interrogatories overbroad and disproportional. Bright
3 Data has identified several objections to Interrogatories seeking customer information. *See, e.g.*,
4 GOs 4, 5 ,6. In responding to these Interrogatories, absent Court order or further agreement of the
5 parties, Bright Data will construe the term “Customer” to exclude the categories of customers or
6 customer information to which Bright Data has lodged an objection.

7 19. ***Objection to Definition 5.*** Bright Data objects to the definition of “Customer
8 located in California” on grounds of relevance and proportionality to the extent the definition
9 causes the Interrogatories to seek information that does not involve (i) activity by Bright Data in
10 California, or (ii) activity directed at third parties who are physically in California when using a
11 Relevant Scraping Service (“California Activity”). Without limiting the foregoing, Bright Data
12 objects to the term “Customer located in California” to the extent it depends on the domicile,
13 headquarters, or address of a customer. In responding to these Interrogatories, Bright Data will
14 use the term “California Customers” to refer to customers for whom the relevant activity concerned
15 California Activity.

16 20. ***Objection to the Relevant Bright Data Services Definitions (Definitions 6-8).***
17 Bright Data objects to the definitions of Bright Data’s services (including the definitions of
18 “Scraping Tool” (Definition 6), “Data” or “Dataset” (Definition 7), and “Proxy” or “Proxies”
19 (Definition 8)) on the grounds that, as defined, they render the Interrogatories overbroad and
20 disproportional. Bright Data has identified several objections to the scope of Interrogatories
21 seeking information relating to Bright Data’s Services. *See, e.g.*, GOs 3, 4, 5, 7, 8. In responding
22 to these Interrogatories, Bright Data will construe the Interrogatories using the terms “scraping
23 tool,” “data”, or “proxy” (or variations thereof) to both (i) exclude information for which Bright
24 Data has lodged an objection; and (ii) include only information relating to the use of such services
25 by Bright Data or a third party to search for or collect information from X sites using automated
26 means.

1 21. **Objections to Definition 9.** Bright Data objects to the definition of “Logs” on the
2 grounds that it is overbroad and disproportional. Bright Data will confer with X concerning the
3 scope of production, if any, of logs in connection with the resolution of Bright Data’s General and
4 Specific Objections.

5 22. **Objection to Instruction 7.** Bright Data objects to Instruction 7 on the grounds of
6 overbreadth, burden, and proportionality. Bright Data objects to the extent Instruction 7 calls for
7 the production of information before January 26, 2019, as anything before that date is outside the
8 scope of X’s claims. Bright Data further objects to the extent Instruction 7 calls for the production
9 of information relating to the search or collection of information (or the use or sale of such
10 information) after September 25, 2023. As such, unless otherwise noted, the temporal scope of
11 Bright Data’s responses will be from January 26, 2019 through September 25, 2023, as explained
12 in GO 12.

13 23. **Time, Place, Manner of Production.** Bright Data objects to the Interrogatories to
14 the extent that they do not specify a “reasonable time, place, and manner of making the inspection.”
15 See Fed. R. Civ. P. 34(b). To the extent Bright Data makes an offer of production in these
16 Responses, such offer of production contemplates a rolling production, within time frames
17 established by Court order or the parties’ agreement.

18 24. **Reservation of Right to Amend.** Because discovery is ongoing, Bright Data’s
19 responses are preliminary in nature and based only on information that is readily available to Bright
20 Data after a reasonable, but still ongoing, investigation. To the extent necessary or appropriate,
21 Bright Data reserves the right to supplement its Responses in accordance with Fed. R. Civ. P.
22 26(e), including – without limitation – by asserting additional objections.

1 **SPECIFIC RESPONSES AND OBJECTIONS¹**

2 **INTERROGATORY NO. 1:**

3 *Describe all means You have used to scrape data from the X Platform at any time, including all*
 4 *methods You have used to avoid or attempt to avoid detection.*

5 **Response to Interrogatory No. 1:** Bright Data objects because this Interrogatory seeks
 6 merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
 7 Interrogatory to the extent it seeks information relating to public search mechanics (GO 9). Bright
 8 Data objects to this Interrogatory because the phrase "describe all means ... used to scrape data"
 9 is vague. Subject to and without waiving these objections and its General Objections, upon
 10 resolution of Bright Data's Motion to Stay and the lifting of any resulting stay, Bright Data will
 11 supplement its response to provide a description of the Relevant Scraping Services Bright Data
 12 uses to scrape data to from the X platform. Bright Data will not provide a description of so-called
 13 "methods ... used to avoid or attempt to avoid detection."

14 **INTERROGATORY NO. 2:**

15 *Describe the functionality of Your Scraping Tools, including how the tools scrape data from the X*
 16 *Platform and how the tools avoid or attempt to avoid detection by X Corp.*

17 **Response to Interrogatory No. 2:** Bright Data objects because this Interrogatory seeks
 18 merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
 19 Interrogatory to the extent it seeks information relating to public search mechanics (GO 9). Bright
 20 Data objects to this Interrogatory because the phrase "describe the functionality of [Bright Data's]
 21 Scraping Tools" is vague. Subject to and without waiving these objections and its General
 22 Objections, upon resolution of Bright Data's Motion to Stay and the lifting of any resulting stay,
 23 Bright Data will supplement its response to provide a description of the functionality of Relevant
 24

25 ¹ For avoidance of doubt, all offers of production expressly incorporate all limitations on the time, place, and manner
 26 of production, including GO 1 (Stay); GO 6 (Customer-Identifiable Information); GO 12 (Relevant Period); and GO
 27 23 (Time, Place, Manner). All other limits reflected in the General Objections are similarly incorporated into each
 28 specific response below without the need to repeat or reference such objections, but Bright Data will endeavor to
 identify the most germane objections.

1 Scraping Services. Bright Data will not provide a description of, as X puts it, “how the tools avoid
2 or attempt to avoid detection.”

3 **INTERROGATORY NO. 3:**

4 *Describe Your efforts to promote Your Scraping, Proxy, and Dataset products and services,*
5 *including on the X Platform.*

6 **Response to Interrogatory No. 3:** Bright Data objects to this Interrogatory to the extent
7 it seeks jurisdictional discovery (GO 2). Bright Data objects because this Interrogatory seeks
8 merits discovery relating to X’s non-contract claims (GO 3). Bright Data objects to this
9 Interrogatory because it seeks discovery relating to non-California customers (GO 5). Bright Data
10 objects to this Interrogatory to the extent it seeks customer-identifiable information (GO 6). Bright
11 Data objects to this Interrogatory to the extent it seeks information unrelated to X (GO 7) or the
12 Relevant Scraping Services (GO 8). Bright Data objects to this Interrogatory to the extent it calls
13 for information within X’s custody and control. Absent Court order or further agreement of the
14 parties, Bright Data will not provide a substantive response to this Interrogatory.

15 **INTERROGATORY NO. 4:**

16 *Identify all Persons involved in the design, manufacture, and operation of Your Scraping Tool,*
17 *Proxy, and Dataset products and services.*

18 **Response to Interrogatory No. 4:** Bright Data objects to this Interrogatory to the extent
19 it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data
20 objects to this Interrogatory because it is overbroad. On its face, it seeks disclosure of virtually
21 every Bright Data employee. Additionally, Bright Data objects to this Interrogatory on relevance
22 and proportionality grounds because the design, manufacture, and detailed operations of Bright
23 Data’s technology is not relevant to X’s claims, as opposed to the simple fact that Bright Data
24 scraped data from X’s site. Subject to and without waiving these objections and its General
25 Objections, upon resolution of Bright Data’s Motion to Stay and the lifting of any resulting stay,
26 Bright Data will supplement its response to either identify Bright Data’s management structure for
27 operations concerning the Relevant Scraping Services or produce documents sufficient to show
28

1 the same pursuant to Rule 33(d).

2 **INTERROGATORY NO. 5:**

3 *Identify all revenue You have collected from Customers in exchange for Datasets You scraped*
4 *from the X Platform, including the amounts, payment methods, and frequency of payments.*

5 **Response to Interrogatory No. 5:** Bright Data objects to this Interrogatory because it
6 seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
7 Interrogatory to the extent it seeks customer-identifiable information (GO 6). Bright Data objects
8 to this Interrogatory to the extent it seeks individual amounts, payment methods, and frequency of
9 payments on grounds of burden and proportionality. Bright Data further objects on relevance
10 grounds because Bright Data's revenues are not a relevant measure of damages for any breach of
11 contract claim. Absent Court order or further agreement of the parties, Bright Data will not provide
12 a substantive response to this Interrogatory.

13 **INTERROGATORY NO. 6:**

14 *Identify all revenue You have collected from Customers in exchange for any Scraping Tool You*
15 *have offered to license or sell, including the amounts, payment methods, and frequency of*
16 *payments.*

17 **Response to Interrogatory No. 6:** Bright Data objects to this Interrogatory because it
18 seeks jurisdictional discovery (GO 2). Bright Data objects to this Interrogatory because it seeks
19 merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
20 Interrogatory to the extent it seeks information relating to third-party search (GO 4). Bright Data
21 objects to this Interrogatory because it seeks discovery relating to non-California customers (GO
22 5). Bright Data objects to this Interrogatory to the extent it seeks customer-identifiable information
23 (GO 6). Bright Data objects to this Interrogatory to the extent it seeks information unrelated to X
24 (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Interrogatory to the
25 extent it seeks individual amounts, payment methods, and frequency of payments on grounds of
26 burden and proportionality. Bright Data further objects on relevance grounds because Bright
27 Data's revenues are not a relevant measure of damages for any breach of contract claim. Absent
28

1 Court order or further agreement of the parties, Bright Data will not provide a substantive response
2 to this Interrogatory.

3 **INTERROGATORY NO. 7:**

4 *Identify all current, former, or prospective Customers located in California with whom you*
5 *contracted or have attempted to contract for use of any of your Scraping Tools or to license or*
6 *acquire Datasets that include Data collected from the X Platform, including the name, e-mail*
address, mailing address, and phone number of Your primary contact at each Customer.

7 **Response to Interrogatory No. 7:** Bright Data objects to this Interrogatory because it
8 seeks jurisdictional discovery (GO 2). Bright Data objects to this Interrogatory because it seeks
9 merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
10 Interrogatory to the extent it seeks information relating to third-party search (GO 4). Bright Data
11 objects to this Interrogatory to the extent it seeks customer-identifiable information (GO 6). Bright
12 Data objects to this Interrogatory to the extent it seeks information unrelated to X (GO 7) or the
13 Relevant Scraping Services (GO 8). Absent Court order or further agreement of the parties, Bright
14 Data will not provide a substantive response to this Interrogatory.

15 **INTERROGATORY NO. 8:**

16 *Identify all Scraping Tools, Proxies, and Datasets that You have marketed, promoted, advertised,*
17 *offered for sale, or sold to prospective or current Customers located in California.*

18 **Response to Interrogatory No. 8:** Bright Data objects to this Interrogatory because it
19 seeks jurisdictional discovery (GO 2). Bright Data objects to this Interrogatory because it seeks
20 merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
21 Interrogatory to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping
22 Services (GO 8). Bright Data objects to this Interrogatory – and the phrase “Identify all Scraping
23 Tools, Proxies, and Datasets” – as vague and ambiguous. Absent Court order or further agreement
24 of the parties, Bright Data will not provide a substantive response to this Interrogatory.

25 **INTERROGATORY NO. 9:**

26 *Identify all servers that are located in California that are used or controlled by You, including any*
27 *third-party server. For purposes of this Interrogatory, “located in California,” means any server*
28

1 *that is physically located in California, or any IP address or domain name that geolocates to*
2 *California.*

3 **Response to Interrogatory No. 9:** Bright Data objects to this Interrogatory because it
4 seeks jurisdictional discovery (GO 2). Bright Data objects to this Interrogatory because it seeks
5 merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
6 Interrogatory to the extent it seeks information relating to third-party search (GO 4). Bright Data
7 objects to this Interrogatory because it seeks discovery relating to non-California customers (GO
8 5). Bright Data objects to this Interrogatory to the extent it seeks information unrelated to X (GO
9 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Interrogatory to the extent
10 it seeks documents that would identify specific servers or IP addresses on the grounds of
11 confidentiality. The disclosure of such information could cause serious and irreparable
12 competitive and commercial harm. Bright Data objects to this Interrogatory on the ground that
13 server location and IP address geolocation is not relevant to jurisdiction or the merits of any claim.
14 Absent Court order or further agreement of the parties, Bright Data will not provide a substantive
15 response to this Interrogatory.

16 **INTERROGATORY NO. 10:**

17 *Describe the operation of each of Your California Proxies, as that term is used on Your website,*
18 *see <https://brightdata.com/locations/united-states/california>, including the type and configuration*
19 *of each Proxy, the way Customers use each Proxy, the services Bright Data offers through each*
20 *Proxy, and any Data that is collected using each Proxy, including the means by which any Data*
is collected and transmitted to You, any Logs that record the operation of the
Proxy, and where the Data is stored.

21 **Response to Interrogatory No. 10:** Bright Data objects to this Interrogatory because it
22 seeks jurisdictional discovery (GO 2). Bright Data objects to this Interrogatory because it seeks
23 merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
24 Interrogatory to the extent it seeks information relating to third-party search (GO 4). Bright Data
25 objects to this Interrogatory because it seeks discovery relating to non-California customers (GO
26 5). Bright Data objects to this Interrogatory to the extent it seeks information unrelated to X (GO
27 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Interrogatory to the extent
28

1 it requires detailing Bright Data's specific means of scraping, as such detailed means, as opposed
2 to the simple fact that Bright Data scraped data from X's site, are irrelevant under the Terms.
3 Bright Data objects to this Interrogatory on the grounds of confidentiality to the extent it seeks
4 documents that would identify specific IP addresses. The disclosure of such information could
5 cause serious and irreparable competitive and commercial harm. Bright Data objects to this
6 Interrogatory on the ground that server location and IP address geolocation is not relevant to
7 jurisdiction or the merits of any claim. Bright Data objects to this Interrogatory because it seeks
8 impermissible discovery on discovery. Absent Court order or further agreement of the parties,
9 Bright Data will not provide a substantive response to this Interrogatory.

10 **INTERROGATORY NO. 11:**

11 *Identify All employees, contractors, and agents of Yours who have resided or worked in California.*
12 *Your response should include each individual's current and former titles, time period during which*
13 *the individual held each title, a description of the individual's job responsibilities, and the location*
where the individual resides or works.

14 **Response to Interrogatory No. 11:** Bright Data objects to this Interrogatory because it
15 seeks jurisdictional discovery (GO 2). Bright Data objects to this Interrogatory to the extent it
16 seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data
17 objects to this Interrogatory because information relating to the identity of current and former
18 employees, contractors, agents, or third-party companies hired or contracted by Bright Data is not
19 relevant or proportional. Bright Data objects to this Interrogatory to the extent it seeks information
20 about the activities of any non-party affiliate of Bright Data (GO 10). Absent Court order or further
21 agreement of the parties, Bright Data will not provide a substantive response to this Interrogatory.

22 **INTERROGATORY NO. 12:**

23 *Identify each office or location You have ever owned, leased, or claimed to have in California,*
24 *including the timeframe when you owned, leased, or claimed to have the office or location, the*
purpose of the office or location, and the personnel who worked at the office or location.

25 **Response to Interrogatory No. 12:** Bright Data objects to this Interrogatory because it
26 seeks jurisdictional discovery (GO 2). Bright Data objects to this Interrogatory to the extent it
27
28

1 seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data
2 objects to this Interrogatory because discovery relating to any lease, office, or real estate is not
3 relevant or proportional. Absent Court order or further agreement of the parties, Bright Data will
4 not provide a substantive response to this Interrogatory.

1 Dated: December 13, 2023

Respectfully submitted,

2
3 /s/ Colin R. Kass

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**Admitted pro hac vice*

CERTIFICATE OF SERVICE

I certify that on December 13, 2023, I caused the foregoing document to be served via e-mail on counsel for X Corp.

/s/ Colin R. Kass

ATTACHMENT 15

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

X CORP.,

Plaintiff,

Case No. 3:23-CV-03698-WHA

v.

BRIGHT DATA LTD.

Defendant.

**BRIGHT DATA’S RESPONSES AND OBJECTIONS
TO X CORP.’S FIRST SET OF DOCUMENT REQUESTS**

Bright Data submits the following Responses and Objections (“Responses”) to X Corp.’s First Set of Requests for Production of Documents (the “RFPs” or “Requests”). Upon request, Bright Data is available to meet and confer with X to discuss its Responses, its General and Specific Objections, and the scope of discovery set forth in these Responses.

GENERAL OBJECTIONS

Bright Data asserts the following General Objections (“GOs”), which are incorporated by reference into each of the Specific Responses and Objections below. Along with Bright Data’s Specific Responses and Objections, the GOs govern the scope of any response made by Bright Data to the Requests and are neither waived nor limited by Bright Data’s Specific Responses and Objections.

1. ***Discovery is Premature.*** Bright Data objects to the Requests to the extent they seek information that is not appropriate or proportional for discovery prior to resolution of Bright Data’s Motion to Stay Discovery, 12(b)(2) and 12(b)(6) Motion to Dismiss the Amended Complaint, and anticipated motion to dismiss on contract formation and interpretation issues.

2. ***Jurisdictional Discovery.*** Bright Data objects to the Requests to the extent they seek jurisdictional discovery. In the ordinary course, plaintiffs are required to seek leave of the

1 Court to conduct jurisdictional discovery. *See, e.g., Chapman v. Krutonog*, 256 F.R.D. 645, 648
2 (D. Haw. 2009) (“In order to obtain leave to conduct jurisdictional discovery, Plaintiffs must
3 make a preliminary showing of jurisdiction [and] specify what facts they expect to uncover during
4 discovery and how those facts would support personal jurisdiction.”). However, X failed to do
5 so. And even if X had properly moved the Court for jurisdictional discovery, it would not be
6 entitled to it, as Bright Data’s 12(b)(2) motion raises entirely law-based, facial challenges to the
7 Complaint. *See Ross v. Skanska USA Civil W. Rocky Mountain Dist., Inc.*, 2014 WL 806261, *1
8 (N.D. Cal. 2014) (rejecting argument that even a “bare bones” complaint entitles plaintiffs to
9 jurisdictional discovery to “explore whether there is general or specific jurisdiction”); *Smith v.*
10 *U.S. Dep’t of Agric.*, 2016 WL 4179786, *5 (N.D. Cal. 2016) (“Discovery [is] immaterial to
11 [defendant’s] facial jurisdictional challenge.”); *Ctr. for Biological Diversity v. Army Corps of*
12 *Eng’rs*, 2014 WL 12923196, *7 (C.D. Cal. 2014) (“[J]urisdictional discovery is inappropriate
13 because Defendants ... assert facial, not factual, attacks on jurisdiction.”). Therefore, absent
14 Court order or further agreement of the parties, Bright Data will not respond to any requests for
15 jurisdictional discovery until such time as the Court gives its leave for such discovery to take
16 place.

17 **3. Merits Discovery Related to Claims Subject to Bright Data’s Personal**
18 **Jurisdiction Challenge.** Bright Data objects to the Requests to the extent they seek merits
19 discovery relating to Counts II through VI of the Complaint, including X’s unjust enrichment,
20 tortious interference, trespass to chattels, misappropriation, and Unfair Competition Law claims,
21 on the grounds that the Court lacks personal jurisdiction over those claims. *See* Bright Data’s
22 Motion to Dismiss the Amended Complaint. Courts may not order merits-based discovery until
23 plaintiffs have both properly pled and made a sufficient *prima facie* showing of personal
24 jurisdiction. *Sinochem Int’l Co. v. Malay. Int’l Shipping Corp.*, 549 U.S. 422, 431 (2007) (holding
25 that courts may not proceed to the merits “without first determining that it has jurisdiction over
26 the category of claim in suit (subject-matter jurisdiction) and the parties (personal jurisdiction.)”).
27 Accordingly, absent Court order or further agreement of the parties, Bright Data will not search
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1 for or produce information relating to Counts II through VI, including information relating to
2 third-party use of Bright Data's scraping and proxy services.

3 4. ***Third-Party Use of Bright Data's Proxy or Scraping Services.*** Bright Data objects
4 to the Requests to the extent they seek information relating to any scraping activity by third-
5 parties using Bright Data's proxy or scraping services. Such information is not relevant or
6 proportional to X's contract claim. On September 25, 2023, Bright Data terminated its contractual
7 relationship with X. Four days *later*, X issued new Terms, adding for the first time a new section
8 titled "Misuse of the Services." In this new section, X asserts, for the first time, that "[i]t is also
9 a violation of these Terms to facilitate or assist others in violating these Terms, including by
10 distributing products or services that enable or encourage violation of these Terms." This
11 amendment was litigation-driven and is not binding on Bright Data, because Bright Data had
12 already rejected the Terms. The version of the Terms in effect prior to Bright Data's account
13 termination did not contain this prohibition. Nor did the initial Complaint (ECF 1) cite to any
14 provision of the Terms then in effect making it a violation "to facilitate or assist others in violating
15 [the] Terms" or to "distribut[e] products or services that enable or encourage violation of [the]
16 Terms." Because the sale or distribution of "products or services that enable or encourage" others
17 to violate the Terms does not constitute a breach of any contract between X and Bright Data,
18 discovery relating to such products and services, if any, is not relevant and proportional to Count
19 I. Nor is such discovery permitted for purposes of Counts II-IV, since the Court lacks personal
20 jurisdiction over Bright Data for purposes of these claims, as set forth in GO 3. Accordingly,
21 except as expressly set forth below, absent Court order or further agreement of the parties, Bright
22 Data will not search for or produce any information relating to the development, sale, distribution,
23 or use by third-parties of Bright Data's proxy or scraping services.

24 5. ***Third-Party Scraping by Non-California Customers.*** Even if the Court has
25 personal jurisdiction over certain aspects of X's non-contract claims (Counts II-VI), such
26 jurisdiction would not extend to claims not involving Bright Data conduct expressly aimed at
27 California. This would include, at a minimum, any use of Bright Data's services by non-California
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1 customers. Accordingly, absent Court order or further agreement of the parties, Bright Data will
2 not respond to the Requests with information relating to scraping by third parties outside
3 California.

4 6. ***Customer Identifiable Information.*** Bright Data objects to the Requests to the
5 extent they seek information relating to specific customers. *First*, Bright Data objects to such
6 Requests because the production of customer-identifiable information is not proportional or
7 appropriate (and may, at most, be relevant to damages, which have not been specifically alleged
8 or identified). *Second*, Bright Data objects to such Requests because the *production* of such
9 information will cause significant competitive harm to Bright Data and will interfere with Bright
10 Data's commercial relationships. X uses its own internal teams and outside counsel as enforcers
11 of X's Terms of Service. When X learns of conduct it does not like, it sues or sends cease-and-
12 desist letters threatening legal action. In most cases, the recipients of these suits or letters do not
13 have the resources to litigate against X, and therefore cease engaging in the alleged conduct,
14 ***regardless*** of its actual legality. Once X's outside counsel learns of the identity of these customers,
15 there will be no way to prevent them from engaging in these so-called "enforcement" actions. ***It***
16 ***would be the equivalent of letting the fox in the hen house.*** These threats have the ability to
17 substantially interfere with Bright Data's customer relationships, and with its customers' own
18 businesses. Importantly, X does not deny that it would or could use the information it seeks in
19 discovery to identify additional targets for future "enforcement" or harassment. Indeed, once X
20 learns of a third-party from the discovery materials, it would be almost impossible to make X's
21 counsel forget their identity in future enforcement contexts. ***Accordingly, absent Court order or***
22 ***further agreement of the parties, Bright Data will not search for or produce documents***
23 ***containing customer identifiable information. Bright Data will also redact any customer-***
24 ***identifiable information from any document it otherwise agrees to produce.***

25 7. ***Conduct Relating to Scraping of Websites Other Than X.*** X has not asserted any
26 claim relating to the use of Bright Data's services for purposes other than scraping X. Information
27 that does not expressly relate to the scraping of X is neither relevant nor proportional. Accordingly,
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absent Court order or further agreement of the parties, Bright Data will not search for or produce information relating to the scraping of sites other than X.

8. ***Relevant Scraping Services.*** As noted, Bright Data objects to the Requests to the extent they seek information that does not relate to the scraping of X, on the grounds of relevance and proportionality. Without limiting the foregoing, Bright Data objects to X’s definitions of “Scraping Tool,” “Data,” “Dataset,” “Proxy,” “Proxies,” “Code,” and “Logs” to the extent such terms are not limited to instances in which such Scraping Tools, Datasets, or Proxies are used for the scraping of X. In responding to the Requests, Bright Data will use the term “Scraping Services” to refer to Bright Data’s proxy network, its Data Collector Service (both self-managed and fully-managed), and dataset sales when used to scrape data from third-party websites. Bright Data will use the term “Relevant Scraping Services” or “Relevant Bright Data Scraping Services” to refer to instances in which the Scraping Services are used to scrape data from X. Unless otherwise specified, absent Court order or further agreement of the parties, Bright Data will not search for or produce information that does not relate to the Relevant Scraping Services.

9. ***Source Code.*** Bright Data objects to the Requests to the extent they seek source code on the grounds that it is neither relevant nor proportional. Production of source code is not needed to determine whether Bright Data breached any Term, or induced any customer to breach its contract with X, if any. Nor is source code necessary to quantify any damages, if any, that might have been caused by any such breach. The production of source code is also highly sensitive trade secret information, which X could misappropriate to further its own business.

10. ***Public Search Mechanics.*** Bright Data objects to the Requests to the extent they seek information about the technological measures that Bright Data uses to address X’s anti-scraping technology, including IP blockers, CAPTCHAs, and rate limiters because such information is neither relevant nor proportional, and the disclosure of this information could cause grave commercial and competitive injury. Accordingly, absent Court order or further agreement of the parties, Bright Data will not search for or produce information relating to X’s detection system or the steps by which non-members may access public information posted on X’s sites.

1 11. ***Alter Ego Discovery.*** Bright Data objects to the Requests to the extent they seek
2 information about the activities of any non-party affiliate of Bright Data. Such information is not
3 relevant to either the merits of any claim, or jurisdiction. *See Scanlon v. Curtis Int'l Ltd.*, 465 F.
4 Supp. 3d 1054, 1067-68 (E.D. Cal. 2020) (denying jurisdictional discovery under an alter ego
5 theory).

6 12. ***General Protective Order.*** Bright Data will not produce any confidential or
7 competitively sensitive information prior to entry of a suitable general protective order and objects
8 to the Requests to the extent they call for the same.

9 13. ***Relevant Period.*** Bright Data objects to the Requests to the extent they call for the
10 production of information relating to the search for or collection of information (or the use or sale
11 of such information) after September 25, 2023. As Bright Data has previously explained, there is
12 no extant contract between Bright Data and X, and thus, any discovery after September 25, 2023
13 would not relate to X's breach of contract claim (Count I), but X's other non-contract claims
14 (Counts II-VI). As explained in GOs 2 and 3, such discovery is impermissible until Bright Data's
15 jurisdictional challenge has been resolved. Bright Data objects to the Requests to the extent they
16 call for information pre-dating January 26, 2019. Accordingly, absent Court order or further
17 agreement of the parties, Bright Data will not search for or produce documents dated after January
18 26, 2019 and September 25, 2023.

19 14. ***Privilege.*** Bright Data objects to the Requests to the extent that they call for the
20 disclosure of information protected by any privilege, doctrine, or protection, including without
21 limitation the attorney-client privilege, the work product doctrine, and any other applicable
22 privilege or protection. Nothing contained in these objections and responses is intended to be, or
23 in any way constitutes, a waiver of any applicable privilege or immunity. Any inadvertent
24 production of information protected by the attorney-client privilege, prepared in anticipation of
25 litigation or trial, or otherwise protected or immune from discovery shall not constitute a waiver
26 of any privilege nor of any other basis for objecting to the use of such material or its subject matter.
27 Bright Data expressly reserves the right to object to the use or introduction of such information.

1 15. **Scope of Search.** Bright Data objects to the Requests (generally and as detailed in
 2 the Specific Objections below) on the ground that they are, in many instances, compound, overly
 3 broad, unduly burdensome, or not proportional to the needs of the case, absent further clarification
 4 and reasonable limitations placed on the scope of the search. In the spirit of compromise, to
 5 address some of these objections, these Responses set forth an offer of production. Bright Data
 6 notes that any offer of production does not indicate that such documents exist, that the scope of
 7 such discovery is proper, or that any identified documents are relevant or admissible. Rather, the
 8 offer of production merely indicates Bright Data's agreement to undertake an agreed-upon,
 9 reasonably-tailored search for such documents. For avoidance of doubt, to the extent responsive
 10 documents exist but are not included within Bright Data's offer of production, such documents are
 11 being withheld on the basis of Bright Data's General and Specific Objections. *See* Fed. R. Civ. P.
 12 34(b)(2). Barring any agreement to the contrary and to the extent not inconsistent with any Court
 13 order (*e.g.*, an ESI Protocol), Bright Data's search will consist of the following parameters:

- 14 a. **Targeted Search.** Searching specific central files or systems will be a more
 15 efficient and proportional way to a particular Request than conducting a full
 16 custodian search of particular individual's user-generated files, such as emails.
 17 Bright Data refers to such searches as "Targeted Searches," otherwise often
 18 referred to as "go-gets." Where Bright Data intends to comply with a particular
 19 Request by performing a Targeted Search, it will expressly indicate in its offer of
 20 the production (below) that the search will involve a Targeted Search, and unless
 21 otherwise stated, such search shall be in lieu of any Custodian Search with respect
 22 to that Specific Request. At this time, all of Bright Data's offers of production
 23 contemplate a Targeted Search.
- 24 b. **Custodian Search.** A Custodian Search involves collection of a custodian's
 25 emails and other user-generated files, including the network files where the
 26 custodian ordinary stores user-generated files. This would include, for example,
 27 the custodian's emails. At this time, Bright Data does not contemplate conducting
 28 a Custodian Search for any particular request. If Bright Data believes that a
 Custodian Search is necessary or appropriate, Bright Data will identify the
 relevant custodians, and any Custodian Search will be limited to those custodians'
 files.
- c. **Search Terms.** In conducting its search for responsive documents, unless
 otherwise specified, Bright Data may manage the burden by using appropriate
 search terms to limit the search, review, processing, and/or production of
 documents responsive to these Requests. If Bright Data elects to use search terms

to limit the scope of documents that are reviewed or produced, it will disclose the search terms used, and any search for responsive information will be limited to documents containing such terms. Consistent with Judge Alsup's rules, however, if, during the course of review, Bright Data's counsel identifies responsive documents that have been collected, Bright Data will not withhold such documents solely because such documents do not contain search terms. *See* Judge Alsup Supp. Standing Order re Initial CMC §§ 18, 19.

- d. ***Structured Data.*** In conducting Targeted Searches for information that is maintained in any database, including information in any transactional, financial, or customer relationship database, Bright Data's offers of production are expressly contingent upon investigation and conferral concerning the specific fields of information that are readily-accessible, available, and proportionate. Bright Data reserves the right to object to the production of any field or time period that is neither relevant to any party's claim or defense nor proportional to the needs of the case.
- e. ***ESI.*** Bright Data objects to the Requests to the extent they call for the production of any electronically stored information that is not reasonably accessible, or that cannot be compiled or produced without unreasonable investments in time and expense. Bright Data further objects to these Requests to the extent they purport to require a search beyond the scope of permissible discovery contemplated by Fed. R. Civ. P. 26(b)(2)(C) and any ESI Protocol Order.
- f. ***Phones.*** Bright Data objects to the search of phones on grounds of privacy, proportionality, relevance, overbreadth, and burden. Accordingly, absent Court order or further agreement of the parties, Bright Data will not search for or collect the phones of any Bright Data employee.
- g. ***Time Period.*** As explained in GO 13 above, Bright Data objects to these Requests on the grounds of proportionality, relevance, overbreadth, and burden to the extent they seek information before January 26, 2019 and September 25, 2023.

16. ***Time, Place, Manner of Production.*** Bright Data objects to the Requests to the extent that they do not specify a "reasonable time, place, and manner of making the inspection." *See* Fed. R. Civ. P. 34(b). To the extent Bright Data makes an offer of production in these Responses, such offer of production contemplates a rolling production, within time frames established by Court order or the parties' agreement.

17. ***Duplicative or Broad Requests.*** Many of the Requests below are vague and overbroad, and could be interpreted broadly. For example, requests that seek all documents relating to customers' use of any scraping tool would, in theory, cover source code, even though

1 there are other requests that specifically request source code. In general, where Bright Data
2 addresses a specific request, then any limitations set forth in response to such specific requests
3 (including any objections to producing responsive documents) would apply to the more general
4 requests. This is so even if Bright Data does not specifically call out the potentially vagueness and
5 ambiguity of the broader requests. That is, Bright Data will interpret broader requests as having
6 excluded the information expressly sought by any narrower, specific request. And, for avoidance
7 of doubt, Bright Data objects to any request that encompasses any narrower request on the grounds
8 that such broader request is unreasonably duplicative or cumulative.

9 18. ***Short-Form Objections.*** In setting forth these Objections and Specific Objections,
10 Bright Data shall use the term “Proportionality” to mean that the Request seeks information that
11 is not “proportional to the needs of the case” under Fed. R. Civ. P. 26(b)(1). Bright Data uses the
12 terms “Breadth” and/or “Burden” to mean that (i) the Request is overly broad and/or unduly
13 burdensome; (ii) the discovery sought is unreasonably cumulative or duplicative of other
14 information Bright Data has offered to produce in response to a document request under Fed. R.
15 Civ. P. 34(a); and/or (iii) the burden or expense of the proposed discovery outweighs its likely
16 benefit under Fed. R. Civ. P. 26(b). Bright Data uses the term “Relevance” to mean that the
17 discovery requested is neither relevant to any party’s claim or defense under the Federal Rules of
18 Evidence nor proportional to the needs of the case or is otherwise outside the scope of Fed. R. Civ.
19 P. 26(b)(1). Bright Data uses the term “Ambiguity” to mean the Request is vague and ambiguous.
20 Bright Data uses the term “Privilege” to mean that the discovery requested seeks information
21 protected by the attorney-client privilege, the work product doctrine, joint defense or common
22 interest privileges, or any other applicable privilege.

23 19. ***The Rules Govern.*** Bright Data objects to the Requests, including the Definitions
24 and Instructions, to the extent that they are inconsistent with or exceed the obligations imposed by
25 the Federal Rules of Civil Procedure, any Local Rule, or applicable order. In responding to these
26 Requests, Bright Data will comply with the requirements of the Federal Rules of Civil Procedure,
27 the Local Rules, and applicable orders of the Court.

1 20. ***Use of Instructions and Definitions.*** Bright Data objects to X’s use of instructions
2 and definitions in its Requests as overly burdensome, unreasonable, and contrary to the Court’s
3 Local Rules. Judge Alsup Supp. Standing Order re Initial CMC § 17 (“The fashionable use of
4 ‘Instructions’ and ‘Definitions’ in document requests and interrogatories has a strong tendency,
5 when read into the requests and interrogatories, to exacerbate burden and this alone can sometimes
6 render them unreasonable. Under the Federal Rules, there is no need for ‘Instructions’ and
7 ‘Definitions.’”).

8 21. ***Objection to Definition 1.*** Bright Data objects to Definition 1 on the grounds that
9 it is overbroad, would impose undue burden, is disproportional, and is inconsistent with the
10 requirements of the Rules. Bright Data will respond to the Requests on behalf of Bright Data Ltd.
11 only.

12 22. ***Objection to Definition 4.*** Bright Data objects to the definition of “Customer” on
13 the grounds that, as defined, it renders the Requests overbroad and disproportional. Bright Data
14 has identified several objections to Requests seeking customer information. *See, e.g.*, GOs 4, 5,
15 6. In responding to these Requests, absent Court order or further agreement of the parties, Bright
16 Data will construe the term “Customer” to exclude the categories of customers or customer
17 information to which Bright Data has lodged an objection.

18 23. ***Objection to Definition 5.*** Bright Data objects to the definition of “Customer
19 located in California” on grounds of relevance and proportionality to the extent the definition
20 causes the Requests to seek information that does not involve (i) activity by Bright Data in
21 California, or (ii) activity directed at third parties who are physically in California when using a
22 Relevant Scraping Service (“California Activity”). Without limiting the foregoing, Bright Data
23 objects to the term “Customer located in California” to the extent it depends on the domicile,
24 headquarters, or address of a customer. In responding to these requests, Bright Data will use the
25 term “California Customers” to refer to customers for whom the relevant activity concerned
26 California Activity.

1 24. **Objection to Definition 7.** Bright Data objects to the definition of “Investors” on
2 the grounds of relevance, overbreadth, and proportionality. Absent Court order or further
3 agreement of the parties, Bright Data will not search for or produce information relating to, or
4 communications with, investors.

5 25. **Objection to the Relevant Bright Data Services Definitions (Definitions 8-10).**
6 Bright Data objects to the definitions of Bright Data’s services (including the definitions of
7 “Scraping Tool” (Definition 8), “Data” or “Dataset” (Definition 9), and “Proxy” or “Proxies”
8 (Definition 10)) on the grounds that, as defined, they render the Requests overbroad and
9 disproportional. Bright Data has identified several objections to the scope of Requests seeking
10 information relating to Bright Data’s Services. *See, e.g.*, GOs 3, 4, 5, 7, 8. In responding to these
11 Requests, Bright Data will construe the Requests using the terms “scraping tool,” “data”, or
12 “proxy” (or variations thereof) to both (i) exclude information for which Bright Data has lodged
13 an objection; and (ii) include only information relating to the use of such services by Bright Data
14 or a third party to search for or collect information from X sites using automated means.

15 26. **Objections to Code and Log Definitions (Definitions 11-12).** Bright Data objects
16 to the definitions of “Code” (Definition 11) and “Logs” (Definition 12) on the grounds that they
17 are overbroad and disproportional. Bright Data will confer with X concerning the scope of
18 production, if any, of code and logs in connection with the resolution of Bright Data’s General and
19 Specific Objections.

20 27. **Objection to Definition 13.** Bright Data objects to the definition of “Terms” to the
21 extent it assumes that “all users who register for an X account, and/or view the X website or
22 application agree to [them].” In responding to these requests, Bright Data will use the term
23 “Terms” to mean X’s Terms of Service, Privacy Policy, and Twitter Rules and Policies in effect
24 between January 26, 2019 and September 25, 2023.

25 28. **Objection to Instruction 5.** Bright Data objects to Instruction 5 on the grounds of
26 overbreadth, burden, and proportionality. Bright Data objects to the extent Instruction 5 calls for
27 the production of information before January 26, 2019, as anything before that date is outside the
28

1 scope of X's claims. Bright Data further objects to the extent Instruction 5 calls for the production
2 of information relating to the search or collection of information (or the use or sale of such
3 information) after September 25, 2023. As such, unless otherwise noted, the temporal scope of
4 Bright Data's responses will be from January 26, 2019 through September 25, 2023, as explained
5 in GO 13.

6 29. ***Reservation of Right to Amend.*** Because discovery is ongoing, Bright Data's
7 responses are preliminary in nature and based only on information that is readily available to Bright
8 Data after a reasonable, but still ongoing, investigation. To the extent necessary or appropriate,
9 Bright Data reserves the right to supplement its Responses in accordance with Fed. R. Civ. P.
10 26(e), including – without limitation – by asserting additional objections.

11 30. ***Offers of Production.*** As set forth below, in response to Specific Requests, Bright
12 Data has made certain offers of production, which follow the phrase “subject to and without
13 waiving [its] objections ...” In each case, an offer of production does not indicate that responsive
14 documents exist, but rather that Bright Data will undertake a good faith search for such documents,
15 in accordance with any limits relating to the time, place, and manner of production, including GO
16 1 (Stay); GO 6 (Customer Identifiable Information); GO 13 (Relevant Period); GO 15 (Scope of
17 Search); and GO 16 (Time, Place, Manner). In addition, pursuant to the Judge Alsup's all-or-
18 nothing rule, if X does not accept an offer of production, Bright Data reserves the right to withdraw
19 the offer of production and litigate the reasonableness of the request as originally written. *See*
20 Judge Alsup Supp. Standing Order re Initial CMC, § 17 (“When the judge finds (on motion) that
21 a request was unreasonably burdensome or otherwise objectionable from the outset, his normal
22 practice is to strike it in its entirety rather than to try to salvage some narrower element lurking
23 within it. Again, the judge's approach is intended to encourage reasonably narrow requests from
24 the start, meaning don't ask for more than you deserve with the expectation that the judge will cut
25 it back to what you deserve. He will cut unreasonably burdensome requests back to zero.”).

SPECIFIC RESPONSES AND OBJECTIONS¹

REQUEST NO. 1:

All Data obtained from the X Platform using Your Scraping Tools or Your Proxies.

Response to Request No. 1: Subject to and without waiving its General Objections, Bright Data will conduct a Targeted Search for responsive data that Bright Data itself scraped from the X platform during the Relevant Period.

REQUEST NO. 2:

All Documents describing Your Scraping Tools, their features, functionality, and operation, including product requirements documentation, design specifications or mockups, engineering architecture documents, service blueprints or journey maps, and testing documentation.

Response to Request No. 2: Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks production of Bright Data's Source Code (GO 9). Bright Data objects to this Request to the extent it seeks information relating to public search mechanics (GO 10). Bright Data objects to this Request to the extent it seeks "all documents," rather than documents sufficient to show, specified information. Subject to and without waiving these objections and its General Objections, Bright Data will produce responsive marketing materials sufficient to describe the features of the Relevant Scraping Services.

¹ For avoidance of doubt, all offers of production expressly incorporate all limitations on the time, place, and manner of production, including GO 1 (Stay); GO 6 (Customer Identifiable Information); GO 13 (Relevant Period); GO 15 (Scope of Search); and GO 16 (Time, Place, Manner). All other limited reflected in the General Objections are similarly incorporated into each specific response below without the need to repeat or reference such objections, but Bright Data will endeavor to identify the most germane objections.

REQUEST NO. 3:

All Documents used to describe Your Scraping Tools to employees responsible for selling or marketing them or providing customer support for them.

Response to Request No. 3: Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks production of Bright Data's Source Code (GO 9). Bright Data objects to this Request to the extent it seeks information relating to public search mechanics (GO 10). Bright Data objects to this Request to the extent it seeks "all documents," rather than documents sufficient to show, specified information. Subject to and without waiving these objections and its General Objections, Bright Data will produce responsive marketing materials sufficient to describe the features of the Relevant Scraping Services.

REQUEST NO. 4:

All Documents used to describe Your Scraping Tools, their features, functionality, and operation to Customers, including marketing materials, installation or onboarding documentation, and support documentation.

Response to Request No. 4: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks production of

1 Bright Data's Source Code (GO 9). Bright Data objects to this Request to the extent it seeks
2 information relating to public search mechanics (GO 10). Bright Data objects to this Request to
3 the extent it seeks "all documents," rather than documents sufficient to show, specified
4 information. Subject to and without waiving these objections and its General Objections, Bright
5 Data will produce responsive marketing materials sufficient to describe the features of the Relevant
6 Scraping Services.

7 **REQUEST NO. 5:**

8 *All Documents used to describe Your Scraping Tools, their features, functionality, and operation*
9 *to Investors.*

10 **Response to Request No. 5:** Bright Data objects to this Request because it seeks merits
11 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the
12 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
13 Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services
14 (GO 8). Bright Data objects to this Request to the extent it seeks production of Bright Data's
15 Source Code (GO 9). Bright Data objects to this Request to the extent it seeks information relating
16 to public search mechanics (GO 10). Bright Data objects to the Request because communications
17 with Investors are not relevant or proportional to the claims in the case. Bright Data objects to this
18 Request to the extent it seeks "all documents," rather than documents sufficient to show, specified
19 information. Subject to and without waiving these objections and its General Objections, Bright
20 Data will produce responsive marketing materials sufficient to describe the features of the Relevant
21 Scraping Services.

22 **REQUEST NO. 6:**

23 *All Documents concerning the development and testing of Your Scraping Tools, including*
24 *documentation describing the development and testing of any methods, technology, or techniques*
25 *to circumvent X Corp's anti-scraping measures, authentication requirements, IP blockers, and*
26 *rate limits.*

27 **Response to Request No. 6:** Bright Data objects to this Request because it seeks merits
28 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the

1 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this request
2 to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8).
3 Bright Data objects to this Request to the extent it seeks production of Bright Data's Source Code
4 (GO 9). Bright Data objects to this Request to the extent it seeks information relating to public
5 search mechanics (GO 10). Bright Data objects to this Request to the extent it seeks "all
6 documents," rather than documents sufficient to show, specified information. Bright Data objects
7 to this Request because the "development and testing" of Bright Data's scraping tools is not
8 relevant or proportional. Bright Data will not produce documents in response to this Request.

9 **REQUEST NO. 7:**

10 *All Code Your Scraping Tools use or used to access, communicate with, or obtain Data from the*
11 *X Platform, including any source code related to the operation of Your Scraping Tools and any*
changes to the Code during the relevant time period.

12 **Response to Request No. 7:** Bright Data objects to this Request because it seeks merits
13 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the
14 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
15 Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services
16 (GO 8). Bright Data objects to this Request to the extent it seeks production of Bright Data's
17 Source Code (GO 9). Bright Data objects to this Request to the extent it seeks information
18 relating to public search mechanics (GO 10). Bright Data objects to this Request to the extent it
19 seeks "all documents," rather than documents sufficient to show, specified information. Bright
20 Data will not produce documents in response to this Request.

21 **REQUEST NO. 8:**

22 *All Documents and Communications regarding the use of Your Proxies or Scraping Tools to avoid*
23 *access or data limits of the X Platform.*

24 **Response to Request No. 8:** Bright Data objects to this Request because it seeks merits
25 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the
26 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
27
28

1 Request to the extent it seeks production of Bright Data's Source Code (GO 9). Bright Data objects
2 to this Request to the extent it seeks information relating to public search mechanics (GO 10).
3 Bright Data objects to this Request to the extent it seeks "all documents," rather than documents
4 sufficient to show, specified information. Bright Data will not produce documents in response to
5 this Request.

6 **REQUEST NO. 9:**

7 *All Logs that record the use of Your Scraping Tools on the X Platform.*

8 **Response to Request No. 9:** Bright Data objects to this Request because production of
9 "all logs" is unduly burdensome and not proportional. Bright Data objects to this Request because
10 it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
11 Request to the extent it seeks information relating to third-party search (GO 4). Subject to and
12 without waiving these objections and its General Objections, Bright Data will conduct a Targeted
13 Search for, and will produce, a sample of a responsive log relating to Bright Data's search for
14 information on the X platform. Bright Data will then meet and confer with X concerning whether
15 any additional logs may be required.

16 **REQUEST NO. 10:**

17 *All Logs that record the use of Your Proxies on the X Platform.*

18 **Response to Request No. 10:** Bright Data objects to this Request because production of
19 "all logs" is unduly burdensome and not proportional. Bright Data objects to this Request because
20 it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this
21 Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects
22 to this Request to the extent it seeks information unrelated to the Relevant Scraping Services (GO
23 8). Subject to and without waiving these objections and its General Objections, Bright Data will
24 conduct a Targeted Search for, and will produce, a sample of a responsive log relating to Bright
25 Data's search for information on the X platform. Bright Data will then meet and confer with X
26 concerning whether any additional logs may be required.

REQUEST NO. 11:

All Documents and Communications concerning X Corp's Terms, including All Documents and Communications regarding compliance with the Terms.

Response to Request No. 11: Bright Data objects to this Request to the extent it seeks communications with in-house or outside counsel concerning X Terms or this Action on grounds of privilege (GO 14). Bright Data objects to this request to the extent it seeks information unrelated to the Relevant Scraping Services (GO 8). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request on grounds of relevance because X's Terms are contracts of adhesion, which must be construed against X, rendering Bright Data's subjective intent irrelevant. In light of the irrelevance of subjective intent, a Custodian Search for responsive documents would not be proportional. Bright Data will not produce documents in response to this Request.

REQUEST NO. 12:

All Documents and Communications You distributed, published, or made available to current, prospective, or former Customers regarding Data or information obtained from the X Platform.

Response to Request No. 12: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this request to the extent it seeks information unrelated to the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks information relating to public search mechanics (GO 10). Bright Data objects to this Request to the extent it seeks "all documents and communications," rather than documents sufficient to show, specified information.

1 Subject to and without waiving these objections and its General Objections, Bright Data will
2 produce responsive marketing materials sufficient to describe the features of the Relevant Scraping
3 Services.

4 **REQUEST NO. 13:**

5 *Documents sufficient to show how Data obtained from the X Platform is stored by You, including*
6 *documents sufficient to identify the identity, location, and structure of All databases in which You*
7 *store Data obtained from the X Platform.*

8 **Response to Request No. 13:** Bright Data objects to this Request because it seeks
9 discovery on discovery, which is irrelevant, unduly burdensome, and disproportional. Bright Data
10 will not produce documents in response to this Request.

11 **REQUEST NO. 14:**

12 *All Documents and Communications related to any X accounts created or used by You, including*
13 *the creation, use, and the termination or deletion of those accounts.*

14 **Response to Request No. 14:** Bright Data objects to this Request to the extent it seeks
15 information unrelated to the use of any X accounts owned, controlled, or managed by Bright Data
16 for purposes of scraping information on the X platform. Subject to and without waiving these
17 objections and its General Objections, Bright Data will conduct a Targeted Search for (i)
18 responsive documents sufficient to show the X accounts that Bright Data owned, controlled or
19 managed during the Relevant Period; and (ii) documents relating to use of such accounts for
20 purposes of scraping information on the X platform.

21 **REQUEST NO. 15:**

22 *All Documents and Communications related to any current, prospective, or former Customers’*
23 *use of the X Platform.*

24 **Response to Request No. 15:** Bright Data objects to this Request because it seeks
25 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
26 discovery relating to X’s non-contract claims (GO 3). Bright Data objects to this Request to the
27 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
28 Request because it seeks discovery relating to non-California customers (GO 5). Bright Data

1 objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright
2 Data objects to this Request to the extent it seeks information unrelated to the Relevant Scraping
3 Services (GO 8). Bright Data will not produce documents in response to this Request.

4 **REQUEST NO. 16:**

5 *All Documents and Communications related to the collection of Data from, or access to, web pages*
6 *with access and use restrictions including a password, log-in requirement, rate limiter, IP*
7 *blockers, or other restriction.*

8 **Response to Request No. 16:** Bright Data objects to this Request to the extent it seeks
9 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
10 to this Request to the extent it seeks production of Bright Data's Source Code (GO 9). Bright Data
11 objects to this Request to the extent it seeks information relating to public search mechanics (GO
12 10). Bright Data will not produce documents in response to this Request.

13 **REQUEST NO. 17:**

14 *All contracts and agreements between You and any current or former Customer related to any*
15 *Data or Datasets from the X Platform.*

16 **Response to Request No. 17:** Bright Data objects to this Request because it seeks
17 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
18 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the
19 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
20 Request because it seeks discovery relating to non-California customers (GO 5). Bright Data
21 objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright
22 Data objects to this Request to the extent it seeks information unrelated to the Relevant Scraping
23 Services (GO 8). Bright Data will not produce documents in response to this Request.

24 **REQUEST NO. 18:**

25 *All contracts and agreements between You and any current or former Customer related to Your*
26 *Scraping Tools that were, are, or could be used for scraping Data from the X Platform.*

27 **Response to Request No. 18:** Bright Data objects to this Request because it seeks
28

jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks information unrelated to the Relevant Scraping Services (GO 8), or any scraping tools that "could be" – rather than were – used for scraping Data from the X Platform. Bright Data will not produce documents in response to this Request.

REQUEST NO. 19:

All contracts and agreements between You and any current or former Customer related to Your Proxies that were, are, or could be used to collect Data from the X Platform.

Response to Request No. 19: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this request to the extent it seeks information unrelated to the Relevant Scraping Services (GO 8), or any proxy services that "could be" – rather than were – used for scraping Data from the X Platform. Bright Data will not produce documents in response to this Request.

REQUEST NO. 20:

All Communications between You and any current or former Customer related to any Data or Datasets from the X Platform.

Response to Request No. 20: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this

Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data will not produce documents in response to this Request.

REQUEST NO. 21:

All Communications between You and any current or former Customer related to Your Scraping Tools that were, are, or could be used for scraping Data from the X Platform.

Response to Request No. 21: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks information unrelated to the Relevant Scraping Services (GO 8), or any scraping tools that "could be" – rather than were – used for scraping Data from the X Platform. Bright Data will not produce documents in response to this Request.

REQUEST NO. 22:

All Communications between You and any current or former Customer related to Your Proxies that were, are, or could be used to collect Data from the X Platform.

Response to Request No. 22: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks information unrelated to the Relevant Scraping Services (GO 8), or any proxy services that "could be" – rather than were – used for collecting Data from the X Platform. Bright Data will not produce documents in response to this Request.

REQUEST NO. 23:

Documents sufficient to identify all Persons involved in the design, manufacture, and operation of Your Scraping Tool, Proxy, and Dataset products and services.

Response to Request No. 23: Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request because it is overbroad. On its face, it seeks disclosure of virtually every Bright Data employee. Subject to and without waiving these objections and its General Objections, Bright Data will conduct a Targeted Search for responsive organization charts sufficient to show Bright Data's management structure for operations concerning the Relevant Scraping Services.

REQUEST NO. 24:

All Documents showing Your sales, revenues, profits, losses, costs, cash-flow, and operating and capital expenditures on a monthly basis, including without limitation, invoices to Customers.

Response to Request No. 24: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks "all documents," rather than documents sufficient to show, specified information. Bright Data objects to this Request to the extent it seeks invoices on grounds of burden and proportionality. Bright Data objects to this Request on the grounds of relevance because Bright Data's sales, revenues, or profits are not a relevant measure of damages for any breach of contract claim. Bright Data will not produce documents in response to this Request.

REQUEST NO. 25:

Documents sufficient to show the amount of revenues You attribute to X Platform Data broken down by Customer and by month.

Response to Request No. 25: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks "all documents," rather than documents sufficient to show, specified information. Bright Data objects to this Request on the grounds of relevance because Bright Data's revenues are not a relevant measure of damages for any breach of contract claim. Bright Data will not produce documents in response to this Request.

REQUEST NO. 26:

All Documents showing revenue You have collected from Customers in exchange for Datasets You scraped from the X Platform, including the amounts, payment methods, and frequency of payments.

Response to Request No. 26: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks "all documents," rather than documents sufficient to show, specified information. Bright Data objects

1 to this Request on the grounds of relevance because Bright Data's revenues are not a relevant
2 measure of damages for any breach of contract claim. Bright Data will not produce documents in
3 response to this Request.

4 **REQUEST NO. 27:**

5 *All Documents showing revenue You have collected from Customers in exchange for any Scraping*
6 *Tool You have offered to license or sell, including the amounts, payment methods, and frequency*
7 *of payments.*

8 **Response to Request No. 27:** Bright Data objects to this Request because it seeks
9 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
10 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the
11 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
12 Request because it seeks discovery relating to non-California customers (GO 5). Bright Data
13 objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright
14 Data objects to this Request to the extent it seeks information unrelated to X (GO 7). Bright Data
15 objects to this Request to the extent it seeks "all documents," rather than documents sufficient to
16 show, specified information. Bright Data objects to this Request on the grounds of relevance
17 because Bright Data's revenues are not a relevant measure of damages for any breach of contract
18 claim. Bright Data will not produce documents in response to this Request.

19 **REQUEST NO. 28:**

20 *All Documents showing revenue You have collected from Customers in exchange for any Proxy*
21 *You have offered to license or sell, including the amounts, payment methods, and frequency of*
22 *payments.*

23 **Response to Request No. 28:** Bright Data objects to this Request because it seeks
24 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
25 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the
26 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
27 Request because it seeks discovery relating to non-California customers (GO 5). Bright Data
28 objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright

1 Data objects to this Request to the extent it seeks information unrelated to X (GO 7). Bright Data
2 objects to this Request to the extent it seeks “all documents,” rather than documents sufficient to
3 show, specified information. Bright Data objects to this Request on the grounds of relevance
4 because Bright Data’s revenues are not a relevant measure of damages for any breach of contract
5 claim. Bright Data will not produce documents in response to this Request.

6 **REQUEST NO. 29:**

7 *Documents sufficient to show Your organizational, corporate, and management structure,*
8 *including office and business locations and addresses, the identities of each division or*
9 *department, the management of each division or department, and the identities of All persons who*
work within each division or department and their locations.

10 **Response to Request No. 29:** Bright Data objects to this Request because it seeks
11 jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks
12 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
13 to this Request on grounds of relevance because Bright Data’s organizational, corporate, or
14 management structures are not relevant to X’s claims. Bright Data objects to this Request because
15 it is overbroad. On its face, it seeks disclosure of virtually every Bright Data employee. Bright
16 Data objects to this Request to the extent it seeks information about the activities of any non-party
17 affiliate of Bright Data (GO 11). Subject to and without waiving these objections and its General
18 Objections, Bright Data will conduct a Targeted Search for responsive organization charts
19 sufficient to show Bright Data’s management structure for operations concerning the Relevant
20 Scraping Services.

21 **REQUEST NO. 30:**

22 *Documents sufficient to show any advertisements, promotions, sales, or offers for Your products*
23 *and services (including Scraping Tools, Datasets, and Proxies) directed to any prospective*
24 *Customer or Customer located in California.*

25 **Response to Request No. 30:** Bright Data objects to this Request because it seeks
26 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
27 discovery relating to X’s non-contract claims (GO 3). Bright Data objects to this Request to the
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1 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
2 Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to
3 this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping
4 Services (GO 8). Bright Data will not produce documents in response to this Request.

5 **REQUEST NO. 31:**

6
7 *Documents and Communications related to any workshop, seminar, course, or other informational*
8 *or promotional session for Your products and services (including Scraping Tools, Datasets, and*
9 *Proxies) that You have held in California, including marketing Documents, lists of attendees, and*
10 *presentation materials.*

11 **Response to Request No. 31:** Bright Data objects to this Request because it seeks
12 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
13 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the
14 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
15 Request to the extent it seeks customer-identifiable information, including lists of attendees (GO
16 6). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or
17 the Relevant Scraping Services (GO 8). Bright Data will not produce documents in response to
18 this Request.

19 **REQUEST NO. 32:**

20 *Documents and Communications related to any workshop, seminar, course, or other informational*
21 *or promotional session for Your products and services (including Scraping Tools, Datasets, and*
22 *Proxies) that You have held that included participants from California, including marketing*
23 *Documents, lists of attendees, and presentation materials.*

24 **Response to Request No. 32:** Bright Data objects to this Request because it seeks
25 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
26 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the
27 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
28 Request to the extent it seeks customer-identifiable information, including lists of attendees (GO

6). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data will not produce documents in response to this Request.

REQUEST NO. 33:

All Documents and Communications concerning Your lease, acquisition, or use of 415 Mission Street, San Francisco, CA.

Response to Request No. 33: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks “all documents and communications,” rather than documents sufficient to show, specified information. Bright Data objects to this Request because discovery relating to any lease, office, or real estate is not relevant or proportional. Bright Data will not produce documents in response to this Request.

REQUEST NO. 34:

All Documents and Communications concerning Your lease, acquisition, or use of any office, commercial real estate, or dwelling in California.

Response to Request No. 34: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks “all documents and communications,” rather than documents sufficient to show, specified information. Bright Data objects to this Request because discovery relating to any lease, office, or real estate is not relevant or proportional. Bright Data will not produce documents in response to this Request.

REQUEST NO. 35:

Documents sufficient to identify any server located in California that is used or controlled by You, including any third-party servers used by You. For purposes of this request, “located in

1 *California,” means any server that is physically located in California, or any IP address or domain*
2 *name that geolocates to California.*

3 **Response to Request No. 35:** Bright Data objects to this Request because it seeks
4 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
5 discovery relating to X’s non-contract claims (GO 3). Bright Data objects to this Request to the
6 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
7 Request because it seeks discovery relating to non-California customers (GO 5). Bright Data
8 objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant
9 Scraping Services (GO 8). Bright Data objects to this Request to the extent it seeks production of
10 Bright Data’s Source Code (GO 9). Bright Data objects to this Request to the extent it seeks
11 information relating to public search mechanics (GO 10). Bright Data objects to this Request to
12 the extent it seeks documents that would identify specific IP addresses on the grounds of
13 confidentiality. The disclosure of such information could cause serious and irreparable
14 competitive and commercial harm. Bright Data will not produce documents in response to this
15 Request.

16 **REQUEST NO. 36:**

17 *Documents sufficient to identify Your current or former Customers located in California, including*
18 *any contracts with those Customers.*

19 **Response to Request No. 36:** Bright Data objects to this Request because it seeks
20 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
21 discovery relating to X’s non-contract claims (GO 3). Bright Data objects to this Request to the
22 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
23 Request because it seeks discovery relating to non-California customers (GO 5). Bright Data
24 objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright
25 Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant
26 Scraping Services (GO 8). Bright Data will not produce documents in response to this Request.
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REQUEST NO. 37:

Documents sufficient to identify All current and former employees, contractors, agents, or third-party companies hired or contracted by You, including any subsidiary, located in California.

Response to Request No. 37: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request because information relating to the identity of current and former employees, contractors, agents, or third-party companies hired or contracted by Bright Data is not relevant or proportional. Bright Data objects to this Request to the extent it seeks information about the activities of any non-party affiliate of Bright Data (GO 11). Bright Data will not produce documents in response to this Request.

REQUEST NO. 38:

Documents sufficient to identify All current and former employees or contractors located in California hired or contracted by You.

Response to Request No. 38: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request because it seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request because information relating to the identity of current and former employees, contractors, agents, or third-party companies hired or contracted by Bright Data is not relevant or proportional. Bright Data will not produce documents in response to this Request.

1 **REQUEST NO. 39:**

2 *Documents sufficient to identify All current and former agents or third-party companies located*
3 *in California hired or contracted by You.*

4 **Response to Request No. 39:** Bright Data objects to this Request because it seeks
5 jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks
6 information relating to third-party search (GO 4). Bright Data objects to this Request because it
7 seeks discovery relating to non-California customers (GO 5). Bright Data objects to this request
8 to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8).
9 Bright Data objects to this Request because information relating to the identify current and former
10 employees, contractors, agents, or third-party companies hired or contracted by is not relevant or
11 proportional. Bright Data will not produce documents in response to this Request.

12 **REQUEST NO. 40:**

13 *Documents sufficient to identify any of Your subsidiaries located in California.*

14 **Response to Request No. 40:** Bright Data objects to this Request because it seeks
15 jurisdictional discovery (GO 2). Bright Data objects to this request to the extent it seeks
16 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
17 to this Request to the extent it seeks information about the activities of any non-party affiliate of
18 Bright Data (GO 11). Bright Data will not produce documents in response to this Request.

19 **REQUEST NO. 41:**

20 *All Documents and Communications related to the use of the X Platform by any of Your current,*
21 *prospective, or former Customers located in California.*

22 **Response to Request No. 41:** Bright Data objects to this Request because it seeks
23 jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits
24 discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the
25 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
26 Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to
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1 this Request to the extent it seeks information unrelated to the Relevant Scraping Services (GO 8).
2 Bright Data objects to this Request to the extent it seeks information relating to public search
3 mechanics (GO 10). Bright Data objects to this Request to the extent it seeks “all documents,”
4 rather than documents sufficient to show, specified information. Bright Data will not produce
5 documents in response to this Request.

6 **REQUEST NO. 42:**

7 *Documents sufficient to show any transfer of funds and/or other payments between any bank*
8 *account owned or operated by Bright Data, Ltd. and any bank account owned or operated by any*
9 *affiliate or related entity, including without limitation, Bright Data, Inc.*

10 **Response to Request No. 42:** Bright Data objects to this Request because it seeks
11 jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks
12 information relating to third-party search (GO 4). Bright Data objects to this Request because it
13 seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request
14 to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8).
15 Bright Data objects to this Request because information relating to intra-corporate transfers is
16 neither relevant nor proportional. Bright Data objects to this Request to the extent it seeks
17 information about the activities of any non-party affiliate of Bright Data (GO 11). Bright Data
18 will not produce documents in response to this Request.

19 **REQUEST NO. 43:**

20 *Documents sufficient to show the corporate relationship between Bright Data Ltd. and any affiliate*
21 *or related entity, including without limitation Bright Data, Inc., including any agreements between*
22 *Bright Data Ltd. and Bright Data, Inc.*

23 **Response to Request No. 43:** Bright Data objects to this Request because it seeks
24 jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks
25 information relating to third-party search (GO 4). Bright Data objects to this Request because it
26 seeks discovery relating to non-California customers (GO 5). Bright Data objects to this Request
27 to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8).
28 Bright Data objects to this Request because information relating to intra-corporate agreements and

relationships is neither relevant nor proportional. Bright Data objects to this Request to the extent it seeks information about the activities of any non-party affiliate of Bright Data (GO 11). Bright Data will not produce documents in response to this Request.

REQUEST NO. 44:

Documents sufficient to show the officers and directors of Bright Data Ltd. and any affiliate or related entity, including without limitation Bright Data, Inc.

Response to Request No. 44: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request on grounds of relevance because Bright Data's organizational structure is not relevant to X's claims. Bright Data objects to this Request to the extent it seeks information about the activities of any non-party affiliate of Bright Data (GO 11). Bright Data will not produce documents in response to this Request.

REQUEST NO. 45:

Documents sufficient to show any of Your advertising or marketing or strategy budget spent, directed, earmarked, targeted, or related to advertising or marketing in California.

Response to Request No. 45: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request because information relating to Bright Data's advertising expenditures is neither relevant nor proportional. Bright Data will not produce documents in response to this Request.

REQUEST NO. 46:

Documents sufficient to show any of Your advertising or marketing or strategy budget spent, directed, earmarked, targeted, or related to any Customer or prospective Customer in California.

Response to Request No. 46: Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks

1 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
2 to this Request because information relating to Bright Data's advertising expenditures is neither
3 relevant nor proportional. Bright Data will not produce documents in response to this Request.

4 **REQUEST NO. 47:**

5 *All Documents reviewed in preparing or drafting responses to any interrogatory propounded by*
6 *X Corp. in this Action, including any Documents identified in those responses.*

7 **Response to Request No. 47:** Bright Data objects to this Request because it calls for
8 privileged information (GO 14). Bright Data objects to this Request as premature to the extent it
9 covers any Interrogatory that has not yet been propounded or any response that has not yet been
10 served. Subject to and without waiving these objections and its General Objections, Bright Data
11 will produce any document that it expressly cites in any response to X's First Set of Interrogatories,
12 unless such document has already been produced or is publicly available.

13 **REQUEST NO. 48:**

14 *All Documents You intend to rely on at any hearing or at trial in this Action.*

15 **Response to Request No. 48:** Bright Data objects to this Request because it calls for
16 privileged information (GO 14). Bright Data objects to this Request as premature because Bright
17 Data has not yet made any determination of what documents it intends to rely on at any hearing or
18 trial. Bright Data will meet and confer with X concerning a mutually-agreeable schedule for the
19 exchange of potential exhibit lists for any hearing or trial.

20 **REQUEST NO. 49:**

21 *All Documents concerning a Person or Document referred to in Your initial disclosures under*
22 *Fed. R. Civ. P. 26(a)(1) or considered by You in preparing Your disclosures.*

23 **Response to Request No. 49:** Bright Data objects to this Request to the extent it calls for
24 privileged information (GO 14). Bright Data objects to this Request to the extent it seeks all
25 documents relating to a person, without regard to relevance or subject matter. Bright Data objects
26 to this Request as overly broad, unduly burdensome, and duplicative of other requests. Bright
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1 Data objects to this Request because it does not specify with reasonable particularity the
2 information requested. Bright Data will not produce documents in response to this Request.

3 **REQUEST NO. 50:**

4 *All Documents referred to by You in Your pleadings in this Action.*

5 **Response to Request No. 50:** Bright Data objects to this Request as premature because
6 Bright Data has not yet served any pleading in this Action. Subject to and without waiving these
7 objections and its General Objections, Bright Data will produce responsive documents that it
8 expressly cites in its Answer or Counterclaims, if any, that have not been cited in X's Complaint,
9 that have not been previously produced, and that are not publicly-available.

10 **REQUEST NO. 51:**

11 *All Documents concerning Your document creation, document maintenance, document retention,*
12 *or document destruction policies and practices from 2017 to the present.*

13 **Response to Request No. 51:** Bright Data objects to this Request because it seeks
14 discovery on discovery, which is irrelevant, unduly burdensome, and disproportional. Bright Data
15 objects to this Request because it seeks information prior to January 26, 2019 (GO 13). Bright
16 Data objects to this Request to the extent it seeks "all documents," rather than documents sufficient
17 to show, specified information. Bright Data will not produce documents in response to this
18 Request.

19 **REQUEST NO. 52:**

20 *Transcripts of all trial or deposition testimony ever given in a proceeding by a person You*
21 *identified in Your initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) or whom You expect to*
22 *call as a witness in connection with this Action.*

23 **Response to Request No. 52:** Bright Data objects to this Request to the extent it calls for
24 the disclosure or identification of witnesses that Bright Data "expects" to call because it calls for
25 privileged information (GO 14). Bright Data objects to this Request to the extent it seeks
26 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
27 to this Request to the extent it seeks all documents relating to a person, without regard to relevance

1 or subject matter. Bright Data will not produce documents in response to this Request.

2 **REQUEST NO. 53:**

3 *All Documents concerning any settlement agreement (including without limitation release*
4 *agreements, settlement agreements, and covenants not to sue) with any Person concerning Your*
5 *products and services (including Scraping Tools, Datasets, and Proxies).*

6 **Response to Request No. 53:** Bright Data objects to this Request to the extent that it calls
7 for information protected by privilege, including Rule 408 or the settlement privilege (GO 14).
8 Bright Data objects to this Request because information relating to any settlement with any third-
9 party is not relevant. Bright Data objects to this Request to the extent it seeks information unrelated
10 to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data will not produce documents
11 in response to this Request.

12 **REQUEST NO. 54:**

13 *All agreements with any Person having any financial interest in Bright Data or the outcome of this*
14 *Action, including documents sufficient to show the nature and extent of the financial interest for*
15 *each such Person.*

16 **Response to Request No. 54:** Bright Data objects to this Request to the extent it seeks
17 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
18 to this Request on the ground that information relating to any third-party's interest in Bright Data
19 or the outcome of this Action is not relevant. Bright Data will not produce documents in response
20 to this Request.

21 **REQUEST NO. 55:**

22 *Documents reflecting any taxes you have paid in California.*

23 **Response to Request No. 55:** Bright Data objects to this Request because it seeks
24 jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks
25 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
26 to this Request because information relating to Bright Data's taxes in California is not relevant or
27 proportional. Bright Data will not produce documents in response to this Request.
28

1 **REQUEST NO. 56:**

2 *All print and electronic promotional and marketing materials, including website pages, for you*
3 *products and services that mention, refer, or relate to Twitter or the X Platform.*

4 **Response to Request No. 56:** Bright Data objects to this Request to the extent it seeks
5 “all ... materials,” rather than documents sufficient to show, specified information. Subject to and
6 without waiving these objections and its General Objections, Bright Data will conduct a Targeted
7 Search for and will produce responsive documents sufficient to show its current website pages to
8 the extent such pages reference Twitter or the X platform.

9 **REQUEST NO. 57:**

10 *All documents and communications that mention, refer, or relate to data scraped from the X*
11 *Platform and/or efforts to scrape data from the X Platform.*

12 **Response to Request No. 57:** Bright Data objects to this Request because it seeks merits
13 discovery relating to X’s non-contract claims (GO 3). Bright Data objects to this Request to the
14 extent it seeks information relating to third-party search (GO 4). Bright Data objects to this
15 Request because it seeks discovery relating to non-California customers (GO 5). Subject to and
16 without waiving these objections and its General Objections, Bright Data will conduct a Targeted
17 Search for (i) responsive data that Bright Data itself scraped from the X platform during the
18 Relevant Period; (ii) responsive marketing materials sufficient to describe the features of the
19 Relevant Scraping Services; and (iii) responsive documents sufficient to show Bright Data’s
20 current website pages to the extent such pages reference Twitter or the X platform.

1 Dated: December 13, 2023

Respectfully submitted,

2
3 /s/ Colin R. Kass

Colin R. Kass*

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CERTIFICATE OF SERVICE

I certify that on December 13, 2023, I caused the foregoing document to be served via e-mail on counsel for X Corp.

/s/ Colin R. Kass

ATTACHMENT 16

1 **UNITED STATES DISTRICT COURT**
2 **NORTHERN DISTRICT OF CALIFORNIA**

3
4 X CORP.,

5 Plaintiff,

Case No. 3:23-CV-03698-WHA

6 v.

7 BRIGHT DATA LTD.,

8 Defendant.
9

10 **BRIGHT DATA’S RESPONSES AND OBJECTIONS**
11 **TO X CORP.’S FIRST SET OF REQUESTS FOR ADMISSION**

12 Pursuant to the Federal Rules of Civil Procedure, Bright Data Ltd. (“Bright Data”), by and
13 through its attorneys, propounds the following Objections and Responses (“Responses”) to X
14 Corp.’s First Set of Requests for Admissions (the “RFAs” or “Requests”). Bright Data reserves
15 its right to supplement these objections and responses.

16 **GENERAL OBJECTIONS**

17 Bright Data asserts the following General Objections (“GOs”), which are incorporated by
18 reference into each of the Specific Responses and Objections below. Along with Bright Data’s
19 Specific Responses and Objections, the GOs govern the scope of any response made by Bright
20 Data to the Requests and are neither waived nor limited by Bright Data’s Specific Responses and
21 Objections.

22 1. ***Discovery is Premature.*** Bright Data objects to the Interrogatories to the extent
23 they seek information that is not appropriate or proportional for discovery prior to resolution of
24 Bright Data’s Motion to Stay Discovery. Bright Data will not provide substantive responses to
25 these Requests until the Court rules on that motion.

26 2. ***Jurisdictional Discovery.*** Bright Data objects to the Requests to the extent they
27 seek jurisdictional discovery. In the ordinary course, plaintiffs are required to seek leave of the
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1 Court to conduct jurisdictional discovery. *See, e.g., Chapman v. Krutonog*, 256 F.R.D. 645, 648
2 (D. Haw. 2009) (“In order to obtain leave to conduct jurisdictional discovery, Plaintiffs must
3 make a preliminary showing of jurisdiction [and] specify what facts they expect to uncover during
4 discovery and how those facts would support personal jurisdiction.”). However, X failed to do
5 so. And even if X had properly moved the Court for jurisdictional discovery, it would not be
6 entitled to it, as Bright Data’s 12(b)(2) motion raises entirely law-based, facial challenges to the
7 Complaint. *See Ross v. Skanska USA Civil W. Rocky Mountain Dist., Inc.*, 2014 WL 806261, *1
8 (N.D. Cal. 2014) (rejecting argument that even a “bare bones” complaint entitles plaintiffs to
9 jurisdictional discovery to “explore whether there is general or specific jurisdiction”); *Smith v.*
10 *U.S. Dep’t of Agric.*, 2016 WL 4179786, *5 (N.D. Cal. 2016) (“Discovery [is] immaterial to
11 [defendant’s] facial jurisdictional challenge.”); *Ctr. for Biological Diversity v. Army Corps of*
12 *Eng’rs*, 2014 WL 12923196, *7 (C.D. Cal. 2014) (“[J]urisdictional discovery is inappropriate
13 because Defendants ... assert facial, not factual, attacks on jurisdiction.”). Therefore, absent
14 Court order or further agreement of the parties, Bright Data will not respond to any requests for
15 jurisdictional discovery until such time as the Court gives its leave for such discovery to take
16 place.

17 3. ***Merits Discovery Related to Claims Subject to Bright Data’s Personal***
18 ***Jurisdiction Challenge.*** Bright Data objects to the Requests to the extent they seek merits
19 discovery relating to Counts II through VI of the Complaint, including X’s unjust enrichment,
20 tortious interference, trespass to chattels, misappropriation, and Unfair Competition Law claims,
21 on the grounds that the Court lacks personal jurisdiction over those claims. *See* Bright Data’s
22 Motion to Dismiss the Amended Complaint. Courts may not order merits-based discovery until
23 plaintiffs have both properly pled and made a sufficient *prima facie* showing of personal
24 jurisdiction. *Sinochem Int’l Co. v. Malay. Int’l Shipping Corp.*, 549 U.S. 422, 431 (2007) (holding
25 that courts may not proceed to the merits “without first determining that it has jurisdiction over
26 the category of claim in suit (subject-matter jurisdiction) and the parties (personal jurisdiction).”).
27 Accordingly, absent Court order or further agreement of the parties, Bright Data will not search
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1 for or produce information relating to Counts II through VI, including information relating to
2 third-party use of Bright Data's scraping and proxy services.

3 4. ***Third-Party Use of Bright Data's Proxy or Scraping Services.*** Bright Data objects
4 to the Requests to the extent they seek information relating to any scraping activity by third-
5 parties using Bright Data's proxy or scraping services. Such information is not relevant or
6 proportional to X's contract claim. On September 25, 2023, Bright Data terminated its contractual
7 relationship with X. Four days *later*, X issued new Terms, adding for the first time a new section
8 titled "Misuse of the Services." In this new section, X asserts, for the first time, that "[i]t is also
9 a violation of these Terms to facilitate or assist others in violating these Terms, including by
10 distributing products or services that enable or encourage violation of these Terms." This
11 amendment was litigation-driven and is not binding on Bright Data, because Bright Data had
12 already rejected the Terms. The version of the Terms in effect prior to Bright Data's account
13 termination did not contain this prohibition. Nor did the initial Complaint (ECF 1) cite to any
14 provision of the Terms then in effect making it a violation "to facilitate or assist others in violating
15 [the] Terms" or to "distribut[e] products or services that enable or encourage violation of [the]
16 Terms." Because the sale or distribution of "products or services that enable or encourage" others
17 to violate the Terms does not constitute a breach of any contract between X and Bright Data,
18 discovery relating to such products and services, if any, is not relevant and proportional to Count
19 I. Nor is such discovery permitted for purposes of Counts II-IV, since the Court lacks personal
20 jurisdiction over Bright Data for purposes of these claims, as set forth in GO 3. Accordingly,
21 except as expressly set forth below, absent Court order or further agreement of the parties, Bright
22 Data will not search for or produce any information relating to the development, sale, distribution,
23 or use by third-parties of Bright Data's proxy or scraping services.

24 5. ***Third-Party Scraping by Non-California Customers.*** Even if the Court has
25 personal jurisdiction over certain aspects of X's non-contract claims (Counts II-VI), such
26 jurisdiction would not extend to claims not involving Bright Data conduct expressly aimed at
27 California. This would include, at a minimum, any use of Bright Data's services by non-California
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1 customers. Accordingly, absent Court order or further agreement of the parties, Bright Data will
2 not respond to the Requests with information relating to scraping by third parties outside
3 California.

4 6. ***Customer Identifiable Information.*** Bright Data objects to the Requests to the
5 extent they seek information relating to specific customers. *First*, Bright Data objects to such
6 Requests because the production of customer-identifiable information is not proportional or
7 appropriate (and may, at most, be relevant to damages, which have not been specifically alleged
8 or identified). *Second*, Bright Data objects to such Requests because the *production* of such
9 information will cause significant competitive harm to Bright Data and will interfere with Bright
10 Data's commercial relationships. X uses its own internal teams and outside counsel as enforcers
11 of X's Terms of Service. When X learns of conduct it does not like, it sues or sends cease-and-
12 desist letters threatening legal action. In most cases, the recipients of these suits or letters do not
13 have the resources to litigate against X, and therefore cease engaging in the alleged conduct,
14 ***regardless*** of its actual legality. Once X's outside counsel learns of the identity of these customers,
15 there will be no way to prevent them from engaging in these so-called "enforcement" actions. ***It***
16 ***would be the equivalent of letting the fox in the hen house.*** These threats have the ability to
17 substantially interfere with Bright Data's customer relationships, and with its customers' own
18 businesses. Importantly, X does not deny that it would or could use the information it seeks in
19 discovery to identify additional targets for future "enforcement" or harassment. Indeed, once X
20 learns of a third-party from the discovery materials, it would be almost impossible to make X's
21 counsel forget their identity in future enforcement contexts. ***Accordingly, absent Court order or***
22 ***further agreement of the parties, Bright Data will not search for or produce documents***
23 ***containing customer identifiable information. Bright Data will also redact any customer-***
24 ***identifiable information from any document it otherwise agrees to produce.***

25 7. ***Conduct Relating to Scraping of Websites Other Than X.*** X has not asserted any
26 claim relating to the use of Bright Data's services for purposes other than scraping X. Information
27 that does not expressly relate to the scraping of X is neither relevant nor proportional. Accordingly,
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absent Court order or further agreement of the parties, Bright Data will not search for or produce information relating to the scraping of sites other than X.

8. ***Relevant Scraping Services.*** As noted, Bright Data objects to the Requests to the extent they seek information that does not relate to the scraping of X, on the grounds of relevance and proportionality. Without limiting the foregoing, Bright Data objects to X’s definitions of “Scraping Tool,” “Data,” “Dataset,” “Proxy,” “Proxies,” “Code,” and “Logs” to the extent such terms are not limited to instances in which such Scraping Tools, Datasets, or Proxies are used for the scraping of X. In responding to the Requests, Bright Data will use the term “Scraping Services” to refer to Bright Data’s proxy network, its Data Collector Service (both self-managed and fully-managed), and dataset sales when used to scrape data from third-party websites. Bright Data will use the term “Relevant Scraping Services” or “Relevant Bright Data Scraping Services” to refer to instances in which the Scraping Services are used to scrape data from X. Unless otherwise specified, absent Court order or further agreement of the parties, Bright Data will not search for or produce information that does not relate to the Relevant Scraping Services.

9. ***Public Search Mechanics.*** Bright Data objects to the Requests to the extent they seek information about the technological measures that Bright Data uses to address X’s anti-scraping technology, including IP blockers, CAPTCHAs, and rate limiters because such information is neither relevant nor proportional, and the disclosure of this information could cause grave commercial and competitive injury. Accordingly, absent Court order or further agreement of the parties, Bright Data will not search for or produce information relating to X’s detection system or the steps by which non-members may access public information posted on X’s sites.

10. ***Alter Ego Discovery.*** Bright Data objects to the Requests to the extent they seek information about the activities of any non-party affiliate of Bright Data. Such information is not relevant to either the merits of any claim, or jurisdiction. *See Scanlon v. Curtis Int’l Ltd.*, 465 F. Supp. 3d 1054, 1067-68 (E.D. Cal. 2020) (denying jurisdictional discovery under an alter ego theory).

1 11. **General Protective Order.** Bright Data will not produce any confidential or
2 competitively sensitive information prior to entry of a suitable general protective order and objects
3 to the Requests to the extent they call for the same.

4 12. **Relevant Period.** Bright Data objects to the Requests to the extent they call for the
5 production of information relating to the search for or collection of information (or the use or sale
6 of such information) after September 25, 2023. As Bright Data has previously explained, there is
7 no extant contract between Bright Data and X, and thus, any discovery after September 25, 2023
8 would not relate to X's breach of contract claim (Count I), but X's other non-contract claims
9 (Counts II-VI). As explained in GOs 2 and 3, such discovery is impermissible until Bright Data's
10 jurisdictional challenge has been resolved. Bright Data objects to the Requests to the extent they
11 call for information pre-dating January 26, 2019. Accordingly, absent Court order or further
12 agreement of the parties, Bright Data will not search for or produce documents dated after January
13 26, 2019 and September 25, 2023.

14 13. **Privilege.** Bright Data objects to the Requests to the extent that they call for the
15 disclosure of information protected by any privilege, doctrine, or protection, including without
16 limitation the attorney-client privilege, the work product doctrine, and any other applicable
17 privilege or protection. Nothing contained in these objections and responses is intended to be, or
18 in any way constitutes, a waiver of any applicable privilege or immunity. Any inadvertent
19 production of information protected by the attorney-client privilege, prepared in anticipation of
20 litigation or trial, or otherwise protected or immune from discovery shall not constitute a waiver
21 of any privilege nor of any other basis for objecting to the use of such material or its subject matter.
22 Bright Data expressly reserves the right to object to the use or introduction of such information.

23 14. **The Rules Govern.** Bright Data objects to the Requests, including the Definitions
24 and Instructions, to the extent that they are inconsistent with or exceed the obligations imposed by
25 the Federal Rules of Civil Procedure, any Local Rule, or applicable order. In responding to these
26 Requests, Bright Data will comply with the requirements of the Federal Rules of Civil Procedure,
27 the Local Rules, and applicable orders of the Court.

1 15. ***Use of Instructions and Definitions.*** Bright Data objects to X’s use of instructions
2 and definitions in its Requests as overly burdensome, unreasonable, and contrary to the Court’s
3 Local Rules. Judge Alsup Supp. Standing Order re Initial CMC § 17 (“The fashionable use of
4 ‘Instructions’ and ‘Definitions’ in document requests and interrogatories has a strong tendency,
5 when read into the requests and interrogatories, to exacerbate burden and this alone can sometimes
6 render them unreasonable. Under the Federal Rules, there is no need for ‘Instructions’ and
7 ‘Definitions.’”).

8 16. ***Objection to Definition 1.*** Bright Data objects to Definition 1 on the grounds that
9 it is overbroad, would impose undue burden, is disproportional, and is inconsistent with the
10 requirements of the Rules. Bright Data will respond to the Requests on behalf of Bright Data Ltd.
11 only.

12 17. ***Objection to Definition 4.*** Bright Data objects to the definition of “Customer” on
13 the grounds that, as defined, it renders the Requests overbroad and disproportional. Bright Data
14 has identified several objections to Requests seeking customer information. *See, e.g.*, GOs 4, 5,
15 6. In responding to these Requests, absent Court order or further agreement of the parties, Bright
16 Data will construe the term “Customer” to exclude the categories of customers or customer
17 information to which Bright Data has lodged an objection.

18 18. ***Objection to Definition 5.*** Bright Data objects to the definition of “Customer
19 located in California” on grounds of relevance and proportionality to the extent the definition
20 causes the Requests to seek information that does not involve (i) activity by Bright Data in
21 California, or (ii) activity directed at third parties who are physically in California when using a
22 Relevant Scraping Service (“California Activity”). Without limiting the foregoing, Bright Data
23 objects to the term “Customer located in California” to the extent it depends on the domicile,
24 headquarters, or address of a customer. In responding to these requests, Bright Data will use the
25 term “California Customers” to refer to customers for whom the relevant activity concerned
26 California Activity.
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1 19. ***Objection to the Relevant Bright Data Services Definitions (Definitions 6-8).***

2 Bright Data objects to the definitions of Bright Data’s services (including the definitions of
3 “Scraping Tool” (Definition 6), “Data” or “Dataset” (Definition 7), and “Proxy” or “Proxies”
4 (Definition 8)) on the grounds that, as defined, they render the Requests overbroad and
5 disproportional. Bright Data has identified several objections to the scope of Requests seeking
6 information relating to Bright Data’s Services. *See, e.g.*, GOs 3, 4, 5, 7, 8. In responding to these
7 Requests, Bright Data will construe the Requests using the terms “scraping tool,” “data”, or
8 “proxy” (or variations thereof) to both (i) exclude information for which Bright Data has lodged
9 an objection; and (ii) include only information relating to the use of such services by Bright Data
10 or a third party to search for or collect information from X sites using automated means.

11 20. ***Objection to Definition 9.*** Bright Data objects to the definition of “Terms” to the

12 extent it assumes that “all users who register for an X account, and/or view the X website or
13 application agree to [them].” In responding to these requests, Bright Data will use the term
14 “Terms” to mean X’s Terms of Service, Privacy Policy, and Twitter Rules and Policies in effect
15 between January 26, 2019 and September 25, 2023.

16 21. ***Objection to Instruction 3.*** Bright Data objects to Instruction 3 on the grounds of

17 overbreadth, burden, and proportionality. Bright Data objects to the extent Instruction 3 calls for
18 the production of information before January 26, 2019, as anything before that date is outside the
19 scope of X’s claims. Bright Data further objects to the extent Instruction 3 calls for the production
20 of information relating to the search or collection of information (or the use or sale of such
21 information) after September 25, 2023. As such, unless otherwise noted, the temporal scope of
22 Bright Data’s responses will be from January 26, 2019 through September 25, 2023, as explained
23 in GO 12.

24 22. ***Reservation of Right to Amend.*** Because discovery is ongoing, Bright Data’s

25 responses are preliminary in nature and based only on information that is readily available to Bright
26 Data after a reasonable, but still ongoing, investigation. To the extent necessary or appropriate,
27 Bright Data reserves the right to supplement its Responses in accordance with Fed. R. Civ. P.
28

26(e), including – without limitation – by asserting additional objections.

REQUESTS FOR ADMISSIONS

REQUEST FOR ADMISSION NO. 1:

Admit that You have licensed or sold at least one of Your Scraping Tools to a Customer located in California.

Response to Request for Admission No. 1: Bright Data objects to this Request because it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this RFA because the "high-low" numbers game played in RFAs 1 through 4 is neither relevant, proportional, nor a proper use of RFAs.

REQUEST FOR ADMISSION NO. 2:

Admit that You have licensed or sold at least five of Your Scraping Tools to a Customer located in California.

Response to Request for Admission No. 2: Bright Data objects to this Request because it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this RFA because the "high-low" numbers game played in RFAs 1 through 4 is neither relevant, proportional, nor a proper use of RFAs.

REQUEST FOR ADMISSION NO. 3:

Admit that You have licensed or sold at least 20 of Your Scraping Tools to a Customer located in California.

Response to Request for Admission No. 3: Bright Data objects to this Request because it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this RFA because the "high-low" numbers game played in RFAs 1 through 4 is neither relevant, proportional, nor a proper use of RFAs.

REQUEST FOR ADMISSION NO. 4:

Admit that You have licensed or sold at least 100 of Your Scraping Tools to a Customer located in California.

Response to Request for Admission No. 4: Bright Data objects to this Request because it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this RFA because the "high-low" numbers game played in RFAs 1 through 4 is neither relevant, proportional, nor a proper use of RFAs.

REQUEST FOR ADMISSION NO. 5:

Admit that You have licensed or sold at least one of Your X Corp. Datasets to a Customer located in California.

Response to Request For Admission No. 5: Bright Data objects to this Request because

1 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
 2 (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-
 3 contract claims (GO 3). Bright Data objects to this Request to the extent it seeks customer-
 4 identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks
 5 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
 6 to this RFA because the "high-low" numbers game played in RFAs 5 through 8 is neither relevant,
 7 proportional, nor a proper use of RFAs.

8 **REQUEST FOR ADMISSION NO. 6:**

9 *Admit that You have licensed or sold at least five of Your X Corp. Datasets to a Customer*
 10 *located in California.*

11 **Response to Request For Admission No. 6:** Bright Data objects to this Request because
 12 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
 13 (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-
 14 contract claims (GO 3). Bright Data objects to this Request to the extent it seeks customer-
 15 identifiable information (GO 6). Bright Data objects to this Request to the extent it seeks
 16 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
 17 to this RFA because the "high-low" numbers game played in RFAs 5 through 8 is neither relevant,
 18 proportional, nor a proper use of RFAs.

19 **REQUEST FOR ADMISSION NO. 7:**

20 *Admit that You have licensed or sold at least 20 of Your X Corp. Datasets to a Customer located*
 21 *in California.*

22 **Response to Request For Admission No. 7:** Bright Data objects to this Request because
 23 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
 24 (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-
 25 contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information
 26 relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks
 27 discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the
 28

1 extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to
2 the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8).
3 Bright Data objects to this RFA because the “high-low” numbers game played in RFAs 5 through
4 8 is neither relevant, proportional, nor a proper use of RFAs.

5 **REQUEST FOR ADMISSION NO. 8:**

6 *Admit that You have licensed or sold at least 100 of Your X Corp. Datasets to a Customer located*
7 *in California.*

8 **Response to Request For Admission No. 8:** Bright Data objects to this Request because
9 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
10 (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X’s non-
11 contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information
12 relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks
13 discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the
14 extent it seeks customer-identifiable information (GO 6). Bright Data objects to this Request to
15 the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8).
16 Bright Data objects to this RFA because the “high-low” numbers game played in RFAs 5 through
17 8 is neither relevant, proportional, nor a proper use of RFAs.

18 **REQUEST FOR ADMISSION NO. 9:**

19 *Admit that You have licensed or sold at least one of Your Proxies to a Customer located in*
20 *California.*

21 **Response to Request For Admission No. 9:** Bright Data objects to this Request because
22 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
23 (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X’s non-
24 contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information
25 relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks
26 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
27 to this RFA because the “high-low” numbers game played in RFAs 9 through 12 is neither relevant,
28

1 proportional, nor a proper use of RFAs.

2 **REQUEST FOR ADMISSION NO. 10:**

3 *Admit that You have licensed or sold at least five of Your Proxies to a Customer located*
4 *in California.*

5 **Response to Request For Admission No. 10:** Bright Data objects to this Request because
6 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
7 (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-
8 contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information
9 relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks
10 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
11 to this RFA because the "high-low" numbers game played in RFAs 9 through 12 is neither relevant,
12 proportional, nor a proper use of RFAs.

13 **REQUEST FOR ADMISSION NO. 11:**

14 *Admit that You have licensed or sold at least 20 of Your Proxies to a Customer located in*
15 *California.*

16 **Response to Request For Admission No. 11:** Bright Data objects to this Request because
17 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
18 (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-
19 contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information
20 relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks
21 information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects
22 to this RFA because the "high-low" numbers game played in RFAs 9 through 12 is neither relevant,
23 proportional, nor a proper use of RFAs.

24 **REQUEST FOR ADMISSION NO. 12:**

25 *Admit that You have licensed or sold at least 100 of Your Proxies to a Customer located in*
26 *California.*

27 **Response to Request For Admission No. 12:** Bright Data objects to this Request because
28 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery

(GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information relating to third-party search (GO 4). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this RFA because the "high-low" numbers game played in RFAs 9 through 12 is neither relevant, proportional, nor a proper use of RFAs.

REQUEST FOR ADMISSION NO. 13:

Admit that You have at least one employee who resides in California.

Response to Request For Admission No. 13: Bright Data objects to this Request because it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request because information relating to the identity of current and former employees, contractors, agents, or third-party companies hired or contracted by Bright Data is not relevant or proportional. Bright Data objects to this RFA because the "high-low" numbers game played in RFAs 13 through 16 is neither relevant, proportional, nor a proper use of RFAs.

REQUEST FOR ADMISSION NO. 14:

Admit that You have at least five employees who reside in California.

Response to Request For Admission No. 14: Bright Data objects to this Request because it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request because information relating to the identity of current and former employees, contractors, agents, or third-party companies hired or contracted by Bright Data is not relevant or proportional. Bright Data objects to this RFA because the "high-low" numbers game played in RFAs 13 through 16 is neither relevant, proportional, nor a proper use of RFAs.

1 **REQUEST FOR ADMISSION NO. 15:**

2 *Admit that You have at least 10 employees who reside in California.*

3 **Response to Request For Admission No. 15:** Bright Data objects to this Request because
4 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
5 (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO
6 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request because
7 information relating to the identity of current and former employees, contractors, agents, or third-
8 party companies hired or contracted by Bright Data is not relevant or proportional. Bright Data
9 objects to this RFA because the “high-low” numbers game played in RFAs 13 through 16 is neither
10 relevant, proportional, nor a proper use of RFAs.

11 **REQUEST FOR ADMISSION NO. 16:**

12 *Admit that You have at least 20 employees who reside in California.*

13 **Response to Request For Admission No. 16:** Bright Data objects to this Request because
14 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
15 (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO
16 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request because
17 information relating to the identity of current and former employees, contractors, agents, or third-
18 party companies hired or contracted by Bright Data is not relevant or proportional. Bright Data
19 objects to this RFA because the “high-low” numbers game played in RFAs 13 through 16 is neither
20 relevant, proportional, nor a proper use of RFAs.

21 **REQUEST FOR ADMISSION NO. 17:**

22 *Admit that in 2022, You opened a “San Francisco office,” as mentioned on Your webpage entitled*
23 *“About Bright Data,” available at <https://brightdata.com/about>.*

24 **Response to Request For Admission No. 17:** Bright Data objects to this Request because
25 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
26 (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO
27

1 7) or the Relevant Scraping Services (GO 8). Bright Data objects to this Request to the extent it
2 seek information about the activities of any non-party affiliate of Bright Data (GO 10). Bright
3 Data objects to this Request because discovery relating to any lease, office, or real estate is not
4 relevant or proportional.

5 **REQUEST FOR ADMISSION NO. 18:**

6 *Admit that You advertise products or services to extract public web data from California websites.*

7 **Response to Request For Admission No. 18:** Bright Data objects to this Request because
8 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
9 (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-
10 contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information
11 relating to third-party search (GO 4). Bright Data objects to this Request because it seeks
12 discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the
13 extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright
14 Data objects to this Request as the phrase "California websites" is vague and ambiguous. Bright
15 Data objects to this Request because the advertisement of services is not relevant to the Court's
16 jurisdiction or the merits of any claim.

17 **REQUEST FOR ADMISSION NO. 19:**

18 *Admit that You license or sell products or services to extract public web data from California*
19 *websites.*

20 **Response to Request For Admission No. 19:** Bright Data objects to this Request because
21 it is premature (GO 1). Bright Data objects to this Request because it seeks jurisdictional discovery
22 (GO 2). Bright Data objects to this Request because it seeks merits discovery relating to X's non-
23 contract claims (GO 3). Bright Data objects to this Request to the extent it seeks information
24 relating to third-party search (GO 4). Bright Data objects to this Request because it seeks
25 discovery relating to non-California customers (GO 5). Bright Data objects to this Request to the
26 extent it seeks information unrelated to X (GO 7) or the Relevant Scraping Services (GO 8). Bright
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1 Data objects to this Request as the phrase “California websites” is vague and ambiguous.

2 **REQUEST FOR ADMISSION NO. 20:**

3 *Admit that You created or used at least one X Corp. account.*

4 **Response to Request For Admission No. 20:** Bright Data objects to this Request because
5 it is premature (GO 1). Bright Data objects to this Request to the extent it seeks information
6 unrelated to the Relevant Scraping Services (GO 8). Subject to and without waiving these
7 Objections and its General Objections, upon resolution of Bright Data’s Motion to Stay and the
8 lifting of any resulting stay, Bright Data will provide an answer to RFA 20.

9
10 **REQUEST FOR ADMISSION NO. 21:**

11 *Admit that You agreed to X Corp’s Terms.*

12 **Response to Request For Admission No. 21:** Bright Data objects to this Request because
13 it is premature (GO 1). Bright Data objects to this request to the extent it seeks information
14 unrelated to the Relevant Scraping Services (GO 8). Subject to and without waiving these
15 Objections and its General Objections, upon resolution of Bright Data’s Motion to Stay and the
16 lifting of any resulting stay, Bright Data will provide an answer to RFA 21.

17
18 **REQUEST FOR ADMISSION NO. 22:**

19 *Admit that You used automated means to collect Data from the X Platform.*

20 **Response to Request For Admission No. 22:** Bright Data objects to this Request because
21 it is premature (GO 1). Subject to and without waiving these Objections and its General
22 Objections, upon resolution of Bright Data’s Motion to Stay and the lifting of any resulting stay,
23 Bright Data will provide an answer to RFA 22.
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1 Dated: December 13, 2023

Respectfully submitted,

2
3 /s/ Colin R. Kass

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CERTIFICATE OF SERVICE

I certify that on December 13, 2023, I caused the foregoing document to be served via e-mail on counsel for X Corp.

/s/ Colin R. Kass

ATTACHMENT 17

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

X CORP.,

Plaintiff,

Case No. 3:23-CV-03698-WHA

v.

BRIGHT DATA LTD.

Defendant.

**BRIGHT DATA’S FIRST SUPPLEMENTAL RESPONSES AND OBJECTIONS
TO X CORP.’S FIRST SET OF DOCUMENT REQUESTS**

Bright Data submits the following First Supplemental Responses and Objections (“Responses”) to X Corp.’s First Set of Requests for Production of Documents (the “RFPs” or “Requests”). Upon request, Bright Data is available to meet and confer with X to discuss its Responses, its General and Specific Objections, and the scope of discovery set forth in these Responses. Bright Data reserves the right to supplement these objections and responses.

GENERAL OBJECTIONS

Bright Data asserts the following General Objections (“GOs”), which are incorporated by reference into each of the Specific Responses and Objections below. Along with Bright Data’s Specific Responses and Objections, the GOs govern the scope of any response made by Bright Data to the Requests and are neither waived nor limited by Bright Data’s Specific Responses and Objections.

1. ***Scope of Jurisdictional Discovery.*** Bright Data objects to the Requests on grounds of relevance and proportionality to the extent they seek information related solely to personal jurisdiction, that does not otherwise have a bearing on the merits.

2. ***Third-Party Scraping by Non-California Customers.*** Even if the Court has personal jurisdiction over certain aspects of X’s non-contract claims (Counts II-VI), such

jurisdiction would not extend to claims unrelated to any Bright Data conduct expressly aimed at California. This would include, at minimum, any use of Bright Data’s services by non-California customers. Accordingly, absent Court order or further agreement of the parties, Bright Data will not respond to the Requests with information relating to scraping by third parties outside California.

3. ***Conduct Relating to Scraping of Websites Other Than X.*** X has not asserted any claim relating to the use of Bright Data’s services for purposes other than scraping X. Information that does not expressly relate to the scraping of X is neither relevant nor proportional. Accordingly, absent Court order or further agreement of the parties, Bright Data will not search for or produce information relating to the scraping of sites other than X.

4. ***Relevant Scraping Services.*** As noted, Bright Data objects to the Requests to the extent they seek information that does not relate to the scraping of X, on the grounds of relevance and proportionality. Without limiting the foregoing, Bright Data objects to X’s definitions of “Scraping Tool,” “Data,” “Dataset,” “Proxy,” “Proxies,” “Code,” and “Logs” to the extent such terms are not limited to instances in which such Scraping Tools, Datasets, or Proxies are used for the scraping of X. In responding to the Requests, Bright Data will use the term “Scraping Services” to refer to Bright Data’s proxy network, its Data Collector Service (both self-managed and fully-managed), and dataset sales when used to scrape data from third-party websites. Bright Data will use the term “Relevant Scraping Services” or “Relevant Bright Data Scraping Services” to refer to instances in which the Scraping Services are used to scrape data from X. Unless otherwise specified, absent Court order or further agreement of the parties, Bright Data will not search for or produce information that does not relate to the Relevant Scraping Services.

5. ***Source Code.*** Bright Data objects to the Requests to the extent they seek source code on the grounds that it is neither relevant nor proportional. Production of source code is not needed to determine whether Bright Data breached any Term, or induced any customer to breach its contract with X, if any. Nor is source code necessary to quantify any damages, if any, that might have been caused by any such breach. The production of source code is also highly sensitive

1 trade secret information, which X could misappropriate to further its own business.

2 6. ***Public Search Mechanics.*** Bright Data objects to the Requests to the extent it
3 seeks information about the technological measures that Bright Data uses to address X's anti-
4 scraping technology, including IP blockers, CAPTCHAs, and rate limiters because such
5 information is neither relevant nor proportional, and the disclosure of this information could cause
6 grave commercial and competitive injury. Accordingly, absent Court order or further agreement
7 of the parties, Bright Data will not search for or produce information relating to X's detection
8 system or the steps by which non-members may access public information posted on X's sites.

9 7. ***Alter Ego Discovery.*** Bright Data objects to the Requests to the extent it seek
10 information about the activities of any non-party affiliate of Bright Data. Such information is not
11 relevant to either the merits of any claim, or jurisdiction. *See Scanlon v. Curtis Int'l Ltd.*, 465 F.
12 Supp. 3d 1054, 1067-68 (E.D. Cal. 2020) (denying jurisdictional discovery under an alter ego
13 theory).

14 8. ***General Protective Order.*** Bright Data will not produce any confidential or
15 competitively sensitive information prior to entry of a suitable general protective order and objects
16 to the Requests to the extent they call for the same.

17 9. ***Relevant Period.*** Bright Data objects to the Requests to the extent they call for the
18 production of information relating to the search for or collection of information (or the use or sale
19 of such information) after September 25, 2023. As Bright Data has previously explained, there is
20 no extant contract between Bright Data and X, and thus, any discovery after September 25, 2023
21 would not relate to X's breach of contract claim (Count I), but X's other non-contract claims
22 (Counts II-VI). Bright Data objects to the Requests to the extent it calls for information pre-dating
23 July 26, 2019. Accordingly, absent Court order or further agreement of the parties, Bright Data
24 will not search for or produce documents dated prior to July 26, 2019 and after September 25,
25 2023.

26 10. ***Privilege.*** Bright Data objects to the Requests to the extent that they call for the
27 disclosure of information protected by any privilege, doctrine, or protection, including without
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1 limitation the attorney-client privilege, the work product doctrine and any other applicable
2 privilege or protection. Nothing contained in these objections and responses is intended to be, or
3 in any way constitutes, a waiver of any applicable privilege or immunity. Any inadvertent
4 production of information protected by the attorney-client privilege, prepared in anticipation of
5 litigation or trial, or otherwise protected or immune from discovery shall not constitute a waiver
6 of any privilege nor of any other basis for objecting to the use of such material or its subject matter.
7 Bright Data expressly reserves the right to object to the use or introduction of such information.

8 11. **Scope of Search.** Bright Data objects to the Requests (generally and as detailed in
9 the Specific Objections below) on the ground that they are, in many instances, compound, overly
10 broad, unduly burdensome, or not proportional to the needs of the case, absent further clarification
11 and reasonable limitations placed on the scope of the search. In the spirit of compromise, to
12 address some of these objections, these Responses set forth an offer of production. Bright Data
13 notes that any offer of production does not indicate that such documents exist, that the scope of
14 such discovery is proper, or that any identified documents are relevant or admissible. Rather, the
15 offer of production merely indicates Bright Data's agreement to undertake an agreed-upon,
16 reasonably-tailored search for such documents. For avoidance of doubt, to the extent responsive
17 documents exist but are not included within Bright Data's offer of production, such documents are
18 being withheld on the basis of Bright Data's General and Specific Objections. *See* Fed. R. Civ. P.
19 34(b)(2). Barring any agreement to the contrary and to the extent not inconsistent with any Court
20 order (*e.g.*, an ESI Protocol), Bright Data's search will consist of the following parameters:

21 a. **Targeted Search.** Searching specific central files or systems will be a more
22 efficient and proportional way to a particular Request than conducting a full
23 custodian search of particular individual's user-generated files, such as emails.
24 Bright Data refers to such searches as "Targeted Searches," otherwise often
25 referred to as "go-gets." Where Bright Data intends to comply with a particular
26 Request by performing a Targeted Search, it will expressly indicate in its offer of
the production (below) that the search will involve a targeted search, and unless
otherwise stated, such search shall be in lieu of any Custodian Search with respect
to that Specific Request. At this time, all of Bright Data's offers of production
contemplate a Targeted Search.

27 b. **Custodian Search.** A custodian search involves collection of a custodian's emails
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1 and other user-generated files, including the network files where the custodian
2 ordinary stores user-generated files. This would include, for example, the
3 custodian's emails. At this time, Bright Data has identified the following
Custodians: Or Lencher, Ron Kol, Rony Shalit, and Josh Vanderwillik.

- 4 c. ***Search Terms.*** In conducting its search for responsive documents, unless
5 otherwise specified, Bright Data may manage the burden by using appropriate
6 search terms to limit the search, review, processing, and/or production of
7 documents responsive to these Requests. If Bright Data elects to use search terms
8 to limit the scope of documents that are reviewed or produced, it will disclose the
9 search terms used, and any search for responsive information will be limited to
10 documents containing such terms. Consistent with Judge Alsup's rules, however,
11 if, during the course of review, Bright Data's counsel identifies responsive
12 documents that have been collected, Bright Data will not withhold such
13 documents solely because such documents do not contain search terms. *See* Judge
Alsup Sup. Standing Order re Initial CMC.
- 14 d. ***Customer-Specific Communications.*** In conducting its search for responsive
15 customer communications, Bright Data will limit its search to a Targeted Search
16 of its Customer Relationship ("CRM") database, which contains detailed
17 information about Bright Data's relationships and communications with
18 customers.
- 19 e. ***Structured Data.*** In conducting Targeted Searches for information that is
20 maintained in any database, including information in any transactional, financial,
21 or customer relationship database, Bright Data's offers of production are expressly
22 contingent upon investigation and conferral concerning the specific fields
of information that are readily-accessible, available, and proportionate. Bright
Data reserves the right to object to the production of any field or time period
that is neither relevant to any party's claim or defense nor proportional to the needs
of the case.
- 23 f. ***ESI.*** Bright Data objects to the Requests to the extent they call for the production
24 of any electronically stored information that is not reasonably accessible, or that
25 cannot be compiled or produced without unreasonable investments in time and
26 expense. Bright Data further objects to these Requests to the extent they purport
27 to require a search beyond the scope of permissible discovery contemplated by
Fed. R. Civ. P. 26(b)(2)(C) and any ESI Protocol Order.
- 28 g. ***Phones.*** Bright Data objects to the search of phones on grounds of privacy,
proportionality, relevance, overbreadth, and burden. Accordingly, absent Court
order or further agreement of the parties, Bright Data will not search for or collect
the phones of any Bright Data employee.
- h. ***Time Period.*** As explained in GO 9 above, Bright Data objects to these Requests
on the grounds of proportionality, relevance, overbreadth, and burden to the
extent they seek information before July 26, 2019 and September 25, 2023.

1 12. ***Time, Place, Manner of Production.*** Bright Data objects to the Requests to the
2 extent that they do not specify a “reasonable time, place, and manner of making the inspection.”
3 See Fed. R. Civ. P. 34(b). To the extent Bright Data makes an offer of production in these
4 Responses, such offer of production contemplates a rolling production, within time frames
5 established by Court order or the parties’ agreement.

6 13. ***Duplicative or Broad Requests.*** Many of the Requests are vague and overbroad,
7 and could be interpreted broadly. For example, requests that seek all documents relating to
8 customers’ use of any scraping tool would, in theory, cover source code, even though there are
9 other requests that specifically request source code. In general, where Bright Data addresses a
10 specific request, any limitations set forth in response to such specific requests (including any
11 objections to producing responsive documents) would apply to the more general requests. This is
12 so even if Bright Data does not specifically call out the potentially vagueness and ambiguity of the
13 broader requests. That is, Bright Data will interpret broader requests as having excluded the
14 information expressly sought by any narrower, specific request. And, for avoidance of doubt,
15 Bright Data objects to any request that encompasses any narrower request on the grounds that such
16 broader request is unreasonably duplicative or cumulative.

17 14. ***Short-Form Objections.*** In setting forth these Objections and Specific Objections,
18 Bright Data shall use the term “Proportionality” to mean that the Request seeks information that
19 is not “proportional to the needs of the case” under Fed. R. Civ. P. 26(a)(b)(1). Bright Data uses
20 the terms “Breadth” and/or “Burden” to mean that (i) the Request is overly broad and/or unduly
21 burdensome; (ii) the discovery sought is unreasonably cumulative or duplicative of other
22 information Bright Data has offered to produce in response to a document request under Fed. R.
23 Civ. P. 34(a); and/or (iii) the burden or expense of the proposed discovery outweighs its likely
24 benefit under Fed. R. Civ. P. 26(b). Bright Data uses the term “Relevance” to mean that the
25 discovery requested is neither relevant to any party’s claim or defense under the Federal Rules of
26 Evidence nor proportional to the needs of the case or is otherwise outside the scope of Fed. R. Civ.
27 P. 26(b)(1). Bright Data uses the term “Ambiguity” to mean the Request is vague and ambiguous.

1 Bright Data uses the term “Privilege” to mean that the discovery requested seeks information
2 protected by the attorney-client privilege, the work product doctrine, joint defense or common
3 interest privileges, or any other applicable privilege.

4 15. ***The Rules Govern.*** Bright Data objects to the Requests, including the Definitions
5 and Instructions, to the extent that they are inconsistent with or exceed the obligations imposed by
6 the Federal Rules of Civil Procedure, any Local Rule, or applicable order. In responding to these
7 Requests, Bright Data will comply with the requirements of the Federal Rules of Civil Procedure,
8 the Local Rules, and applicable orders of the Court.

9 16. ***Use of Instructions and Definitions.*** Bright Data objects to X’s use of instructions
10 and definitions in its Requests as overly burdensome, unreasonable, and contrary to the Court’s
11 Local Rules. Supp. CMC Order § 17 (“The fashionable use of ‘Instructions’ and ‘Definitions’ in
12 document requests and interrogatories has a strong tendency, when read into the requests and
13 interrogatories, to exacerbate burden and this alone can sometimes render them unreasonable.
14 Under the Federal Rules, there is no need for ‘Instructions’ and ‘Definitions.’”).

15 17. ***Objection to Definition 1.*** Bright Data objects to Definition 1 on the grounds that
16 it is overbroad, would impose undue burden, is disproportional, and is inconsistent with the
17 requirements of the Rules. Bright Data will respond to the Requests on behalf of Bright Data Ltd.
18 only.

19 18. ***Objection to Definition 4.*** Bright Data objects to the definition of “Customer” on
20 the grounds that, as defined, it renders the Requests overbroad and disproportional. Bright Data
21 has identified several objections to Requests seeking customer information. *See, e.g.,* GO 2. In
22 responding to these Requests, absent Court order or further agreement of the parties, Bright Data
23 will construe the term “Customer” to exclude the categories of customers or customer information
24 to which Bright Data has lodged an objection.

25 19. ***Objection to Definition 5.*** Bright Data objects to the definition of “Customer
26 located in California” on grounds of relevance and proportionality to the extent the definition
27 causes the Requests to seek information that does not involve (i) activity by Bright Data in
28

1 California, or (ii) activity directed at third parties who are physically in California when using a
2 Relevant Scraping Service (“California Activity”). Without limiting the foregoing, Bright Data
3 objects to the term “Customer located in California” to the extent it depends on the domicile,
4 headquarters, or address of a customer. In responding to these requests, Bright Data will use the
5 term “California Customers” to refer to customers for whom the relevant activity concerned
6 California Activity.

7 20. ***Objection to Definition 7.*** Bright Data objects to the definition of “Investors” on
8 the grounds of relevance, overbreadth, and proportionality. Absent Court order or further
9 agreement of the parties, Bright Data will not search for or produce information relating to, or
10 communications with, investors.

11 21. ***Objection to the Relevant Bright Data Services Definitions (Definitions 8-10).***
12 Bright Data objects to the definitions of Bright Data’s services (including the definitions of
13 “Scraping Tool” (Definition 8), “Data” or “Dataset” (Definition 9), and “Proxy” or “Proxies”
14 (Definition 10)) on the grounds that, as defined, they render the Requests overbroad and
15 disproportional. Bright Data has identified several objections to the scope of Requests seeking
16 information relating to Bright Data’s Services. *See, e.g.*, GOs 3, 4. In responding to these
17 Requests, Bright Data will construe the Requests using the terms “scraping tool,” “data”, or
18 “proxy” (or variations thereof) to both (i) exclude information for which Bright Data has lodged
19 an objection; and (ii) include only information relating to the use of such services by Bright Data
20 or a third party to search for or collect information from X sites using automated means.

21 22. ***Objections to Code and Log Definitions (Definitions 11-12).*** Bright Data objects
22 to the definitions of “Code” (Definition 11) and “Logs” (Definition 12) on the grounds that they
23 are overbroad and disproportional. Bright Data will confer with X concerning the scope of
24 production, if any, of code and logs in connection with the resolution of Bright Data’s General and
25 Specific Objections.

26 23. ***Objection to Definition 13.*** Bright Data objects to the definition of “Terms” to the
27 extent it assumes that “all users who register for an X account, and/or view the X website or
28

1 application agree to [them].” In responding to these requests, Bright Data will use the term
2 “Terms” to mean X’s Terms of Service, Privacy Policy, and Twitter Rules and Policies in effect
3 between July 26, 2019 and September 25, 2023.

4 24. ***Objection to Instruction 5.*** Bright Data objects to Instruction 5 on the grounds of
5 overbreadth, burden, and proportionality. Bright Data objects to the extent Instruction 5 calls for
6 the production of information before July 26, 2019, as anything before that date is outside the
7 scope of X’s claims. Bright Data further objects to the extent Instruction 5 calls for the production
8 of information relating to the search or collection of information (or the use or sale of such
9 information) after September 25, 2023. As such, unless otherwise noted, the temporal scope of
10 Bright Data’s responses will be from July 26, 2019 through September 25, 2023, as explained in
11 GO 9.

12 25. ***Reservation of Right to Amend.*** Because discovery is ongoing, Bright Data’s
13 responses are preliminary in nature and based only on information that is readily available to Bright
14 Data after a reasonable, but still ongoing, investigation. To the extent necessary or appropriate,
15 Bright Data reserves the right to supplement its Responses in accordance with Fed. R. Civ. P.
16 26(e), including – without limitation – by asserting additional objections. ***In particular, Bright***
17 ***Data reserves the right to amend, withdraw, or modify any offer of production if the Court later***
18 ***grants Bright Data’s Motion to Dismiss or Motion for Summary Judgment.***

19 26. ***Offers of Production.*** As set forth below, in response to Specific Requests, Bright
20 Data has made certain offers of production, which follow the phrase “subject to and without
21 waiving [its] objections ...” In each case, an offer of production does not indicate that responsive
22 documents exist, but rather that Bright Data will undertake a good faith search for such documents,
23 in accordance with any limits relating to the time, place, and manner of production, including GO
24 9 (Relevant Period); GO 11(Scope of Search); and GO 12 (Time, Place, Manner). In addition,
25 pursuant to the Judge Alsup’s all-or-nothing rule, if X does not accept an offer of production,
26 Bright Data reserves the right to withdraw the offer of production and litigate the reasonableness
27 of the request as originally written. *See* Judge Alsup Sup. Standing Order re Initial CMC, ¶ 17
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(“When the judge finds (on motion) that a request was unreasonably burdensome or otherwise objectionable from the outset, his normal practice is to strike it in its entirety rather than to try to salvage some narrower element lurking within it. Again, the judge’s approach is intended to encourage reasonably narrow requests from the start, meaning don’t ask for more than you deserve with the expectation that the judge will cut it back to what you deserve. He will cut unreasonably burdensome requests back to zero.”).

SPECIFIC RESPONSES AND OBJECTIONS¹

REQUEST NO. 1:

All Data obtained from the X Platform using Your Scraping Tools or Your Proxies.

Response to Request No. 1: Subject to and without waiving its General Objections, Bright Data will conduct a Targeted Search for responsive data that Bright Data itself scraped from the X platform during the Relevant Period.

REQUEST NO. 2:

All Documents describing Your Scraping Tools, their features, functionality, and operation, including product requirements documentation, design specifications or mockups, engineering architecture documents, service blueprints or journey maps, and testing documentation.

Response to Request No. 2: Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects to this Request to the extent it seeks production of Bright Data’s Source Code (GO 5). Bright Data objects to this Request to the extent it seeks information relating to public search mechanics (GO 6). Bright Data objects to this Request to the extent it seeks “all documents,” rather than documents sufficient to show, specified information. Subject to and without waiving these objections and its General Objections, Bright Data will conduct a Targeted Search for responsive marketing materials sufficient to describe the features of the Relevant Scraping Services. Bright

¹ For avoidance of doubt, all offers of production expressly incorporate all limitations on the time, place, and manner of production, including GO 9 (Relevant Period); GO 11 (Scope of Search); and GO 12 (time, place, manner). All other limits reflected in the General Objections are similarly incorporated into each specific response without the need to repeat or reference such objections, but Bright Data will endeavor to identify the most germane objections.

1 Data will additionally conduct a Targeted Search for exemplar snapshots sufficient to show Bright
2 Data's Code as it existed on December 4, 2022, and May 16, 2023. Bright Data will then meet
3 and confer with X concerning whether any additional snapshots or code excerpts may be required.

4 **REQUEST NO. 3:**

5 *All Documents used to describe Your Scraping Tools to employees responsible for selling or*
6 *marketing them or providing customer support for them.*

7 **Response to Request No. 3:** Bright Data objects to this Request to the extent it seeks
8 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
9 extent it seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright
10 Data objects to this Request to the extent it seeks production of Bright Data's Source Code (GO
11 5). Bright Data objects to this Request to the extent it seeks information relating to public search
12 mechanics (GO 6). Bright Data objects to this Request to the extent it seeks "all documents,"
13 rather than documents sufficient to show, specified information. Subject to and without waiving
14 these objections and its General Objections, Bright Data will conduct a Targeted Search for
15 responsive marketing materials sufficient to describe the features of the Relevant Scraping
16 Services.

17 **REQUEST NO. 4:**

18 *All Documents used to describe Your Scraping Tools, their features, functionality, and operation*
19 *to Customers, including marketing materials, installation or onboarding documentation, and*
20 *support documentation.*

21 **Response to Request No. 4:** Bright Data objects to this Request to the extent it seeks
22 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
23 extent it seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright
24 Data objects to this Request to the extent it seeks production of Bright Data's Source Code (GO
25 5). Bright Data objects to this Request to the extent it seeks information relating to public search
26 mechanics (GO 6). Bright Data objects to this Request to the extent it seeks "all documents,"
27 rather than documents sufficient to show, specified information. Subject to and without waiving
28

1 these objections and its General Objections, Bright Data will conduct a Targeted Search for
2 responsive marketing materials sufficient to describe the features of the Relevant Scraping
3 Services.

4 **REQUEST NO. 5:**

5 *All Documents used to describe Your Scraping Tools, their features, functionality, and operation*
6 *to Investors.*

7 **Response to Request No. 5:** Bright Data objects to this Request to the extent it seeks
8 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
9 to this Request to the extent it seeks production of Bright Data's Source Code (GO 5). Bright Data
10 objects to this Request to the extent it seeks information relating to public search mechanics (GO
11 6). Bright Data objects to the Request because communications with Investors are not relevant or
12 proportional to the claims in the case. Bright Data objects to this Request to the extent it seeks
13 "all documents," rather than documents sufficient to show, specified information. Subject to and
14 without waiving these objections and its General Objections, Bright Data will conduct a Targeted
15 Search for responsive marketing materials sufficient to describe the features of the Relevant
16 Scraping Services.

17 **REQUEST NO. 6:**

18 *All Documents concerning the development and testing of Your Scraping Tools, including*
19 *documentation describing the development and testing of any methods, technology, or techniques*
20 *to circumvent X Corp's anti-scraping measures, authentication requirements, IP blockers, and*
21 *rate limits.*

22 **Response to Request No. 6:** Bright Data objects to this request to the extent it seeks
23 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
24 to this Request to the extent it seeks production of Bright Data's Source Code (GO 5). Bright Data
25 objects to this Request to the extent it seeks information relating to public search mechanics (GO
26 6). Bright Data objects to this Request to the extent it seeks "all documents," rather than
27 documents sufficient to show, specified information. Bright Data objects to this Request because
28 the "development and testing" of Bright Data's scraping tools is not relevant or proportional.

Bright Data will not produce documents in response to this Request.

REQUEST NO. 7:

All Code Your Scraping Tools use or used to access, communicate with, or obtain Data from the X Platform, including any source code related to the operation of Your Scraping Tools and any changes to the Code during the relevant time period.

Response to Request No. 7: Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects to this Request to the extent it seeks production of Bright Data's Source Code (GO 5). Bright Data objects to this Request to the extent it seeks information relating to public search mechanics (GO 6). Bright Data objects to this Request to the extent it seeks "all documents," rather than documents sufficient to show, specified information. Subject to and without waiving these objections and its General Objections, Bright Data will conduct a Targeted Search for exemplar snapshots sufficient to show Bright Data's Code as it existed on December 4, 2022, and May 16, 2023. Bright Data will then meet and confer with X concerning whether any additional snapshots or code excerpts may be required.

REQUEST NO. 8:

All Documents and Communications regarding the use of Your Proxies or Scraping Tools to avoid access or data limits of the X Platform.

Response to Request No. 8: Bright Data objects to this Request to the extent it seeks production of Bright Data's Source Code (GO 5). Bright Data objects to this Request to the extent it seeks information relating to public search mechanics (GO 6). Bright Data objects to this Request to the extent it seeks "all documents," rather than documents sufficient to show, specified information. Bright Data will not produce documents in response to this Request.

REQUEST NO. 9:

All Logs that record the use of Your Scraping Tools on the X Platform.

Response to Request No. 9: Bright Data objects to this Request because production of "all logs" is unduly burdensome and not proportional. Bright Data objects to this Request to the

1 extent it seeks discovery relating to non-California customers (GO 2). Subject to and without
2 waiving these objections and its General Objections, Bright Data will conduct a Targeted Search
3 for, and will produce, a sample of a responsive log relating to Bright Data's search for information
4 on the X platform. Bright Data will then meet and confer with X concerning whether any
5 additional logs may be required.

6 **REQUEST NO. 10:**

7 *All Logs that record the use of Your Proxies on the X Platform.*

8 **Response to Request No. 10:** Bright Data objects to this Request because production of
9 "all logs" is unduly burdensome and not proportional. Bright Data objects to this Request to the
10 extent it seeks discovery relating to non-California customers (GO 2). Bright Data objects to this
11 Request to the extent it seeks information unrelated to the Relevant Scraping Services (GO 4).
12 Subject to and without waiving these objections and its General Objections, Bright Data will
13 conduct a Targeted Search for, and will produce, a sample of a responsive log relating to Bright
14 Data's search for information on the X platform. Bright Data will then meet and confer with X
15 concerning whether any additional logs may be required.

16 **REQUEST NO. 11:**

17 *All Documents and Communications concerning X Corp's Terms, including All Documents and*
18 *Communications regarding compliance with the Terms.*

19 **Response to Request No. 11:** Bright Data objects to this Request to the extent it seeks
20 communications with in-house or outside counsel concerning X Terms or this Case on grounds of
21 privilege (GO 10). Bright Data objects to this request to the extent it seeks information unrelated
22 to the Relevant Scraping Services (GO 4). Bright Data objects to this Request on grounds of
23 relevance because X's Terms are contracts of adhesion, which must be construed against X,
24 rendering Bright Data's subjective intent irrelevant. Subject to and without waiving these
25 objections and its General Objections, Bright Data will conduct a Custodian Search for non-
26 privileged documents that discuss X's Terms. Bright Data will also conduct a Targeted Search of
27 its CRM database for responsive documents relating to California customers who used a Relevant
28

1 Scraping Service to scrape information hosted on X.

2 **REQUEST NO. 12:**

3 *All Documents and Communications You distributed, published, or made available to current,*
4 *prospective, or former Customers regarding Data or information obtained from the X Platform.*

5 **Response to Request No. 12:** Bright Data objects to this Request to the extent it seeks
6 discovery relating to non-California customers (GO 2). Bright Data objects to this request to the
7 extent it seeks information unrelated to the Relevant Scraping Services (GO 4). Bright Data
8 objects to this Request to the extent it seeks information relating to public search mechanics (GO
9 6). Bright Data objects to this Request to the extent it seeks “all documents and communications,”
10 rather than documents sufficient to show, specified information. Subject to and without waiving
11 these objections and its General Objections, Bright Data will conduct a Targeted Search for
12 responsive marketing materials sufficient to describe the features of the Relevant Scraping
13 Services. Bright Data will also conduct a Targeted Search of its CRM database for responsive
14 documents relating to California customers who used a Relevant Scraping Service to scrape
15 information hosted on X.

16 **REQUEST NO. 13:**

17 *Documents sufficient to show how Data obtained from the X Platform is stored by You, including*
18 *documents sufficient to identify the identity, location, and structure of All databases in which You*
store Data obtained from the X Platform.

19 **Response to Request No. 13:** Bright Data objects to this Request to the extent it seeks
20 discovery on discovery, which is irrelevant, unduly burdensome, and disproportional. Bright Data
21 objects to this Request on grounds of ambiguity because it does not sufficiently describe the
22 information sought. Bright Data will not produce documents in response to this Request.

23 **REQUEST NO. 14:**

24 *All Documents and Communications related to any X accounts created or used by You, including*
25 *the creation, use, and the termination or deletion of those accounts.*

26 **Response to Request No. 14:** Bright Data objects to this Request to the extent it seeks
27 information unrelated to the use of any X accounts owned, controlled, or managed by Bright Data
28

1 for purposes of scraping information on the X platform. Subject to and without waiving these
2 objections and its General Objections, Bright Data will conduct (i) a Targeted Search for
3 responsive documents sufficient to show the X accounts that Bright Data owned, controlled, or
4 managed during the Relevant Period; and (ii) a Custodian Search for documents relating to use of
5 such accounts for purposes of scraping information on the X platform.

6 **REQUEST NO. 15:**

7 *All Documents and Communications related to any current, prospective, or former Customers’*
8 *use of the X Platform.*

9 **Response to Request No. 15:** Bright Data objects to this Request to the extent it seeks
10 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
11 extent it seeks information unrelated to the Relevant Scraping Services (GO 4). Subject to and
12 without waiving these objections and its General Objections, Bright Data will also conduct a
13 Targeted Search of its CRM database for responsive documents relating to California customers
14 who used a Relevant Scraping Service to scrape information hosted on X.

15 **REQUEST NO. 16:**

16 *All Documents and Communications related to the collection of Data from, or access to, web pages*
17 *with access and use restrictions including a password, log-in requirement, rate limiter, IP*
blockers, or other restriction.

18 **Response to Request No. 16:** Bright Data objects to this Request to the extent it seeks
19 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
20 to this Request to the extent it seeks production of Bright Data’s Source Code (GO 5). Bright Data
21 objects to this Request to the extent it seeks information relating to public search mechanics (GO
22 6). Bright Data will not produce documents in response to this Request.

23 **REQUEST NO. 17:**

24 *All contracts and agreements between You and any current or former Customer related to any*
25 *Data or Datasets from the X Platform.*

26 **Response to Request No. 17:** Bright Data objects to this Request to the extent it seeks
27 discovery relating to non-California customers (GO 2). Subject to and without waiving these
28

1 objections and its General Objections, Bright Data will conduct a Targeted Search for responsive
2 contracts with California customers who used a Relevant Scraping Service to scrape information
3 hosted on X.

4 **REQUEST NO. 18:**

5 *All contracts and agreements between You and any current or former Customer related to Your*
6 *Scraping Tools that were, are, or could be used for scraping Data from the X Platform.*

7 **Response to Request No. 18:** Bright Data objects to this Request to the extent it seeks
8 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
9 extent it seeks information relating to customers that did not use a Relevant Scraping Service to
10 scrape information hosted on X. Subject to and without waiving these objections and its General
11 Objections, Bright Data will conduct a Targeted Search for responsive contracts with California
12 customers who used a Relevant Scraping Service to scrape information hosted on X.

13 **REQUEST NO. 19:**

14 *All contracts and agreements between You and any current or former Customer related to Your*
15 *Proxies that were, are, or could be used to collect Data from the X Platform.*

16 **Response to Request No. 19:** Bright Data objects to this Request to the extent it seeks
17 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
18 extent it seeks information relating to customers that did not use a Relevant Scraping Service to
19 scrape information hosted on X. Subject to and without waiving these objections and its General
20 Objections, Bright Data will conduct a Targeted Search for responsive contracts with California
21 customers who used a Relevant Scraping Service to scrape information hosted on X.

22 **REQUEST NO. 20:**

23 *All Communications between You and any current or former Customer related to any Data or*
24 *Datasets from the X Platform.*

25 **Response to Request No. 20:** Bright Data objects to this Request to the extent it seeks
26 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
27 extent it seeks information relating to customers that did not use a Relevant Scraping Service to
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1 scrape information hosted on X. Subject to and without waiving these objections and its General
2 Objections, Bright Data will conduct a Targeted Search of Bright Data's CRM database for
3 responsive documents relating to California customers who used a Relevant Scraping Service to
4 Scrape information hosted on X.

5 **REQUEST NO. 21:**

6 *All Communications between You and any current or former Customer related to Your Scraping*
7 *Tools that were, are, or could be used for scraping Data from the X Platform.*

8 **Response to Request No. 21:** Bright Data objects to this Request to the extent it seeks
9 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
10 extent it seeks information relating to customers that did not use a Relevant Scraping Service to
11 scrape information hosted on X. Subject to and without waiving these objections and its General
12 Objections, Bright Data will conduct a Targeted Search of Bright Data's CRM database for
13 responsive documents relating to California customers who used a Relevant Scraping Service to
14 Scrape information hosted on X.

15 **REQUEST NO. 22:**

16 *All Communications between You and any current or former Customer related to Your Proxies*
17 *that were, are, or could be used to collect Data from the X Platform.*

18 **Response to Request No. 22:** Bright Data objects to this Request to the extent it seeks
19 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
20 extent it seeks information relating to customers that did not use a Relevant Scraping Service to
21 scrape information hosted on X. Subject to and without waiving these objections and its General
22 Objections, Bright Data will conduct a Targeted Search of Bright Data's CRM database for
23 responsive documents relating to California customers who used a Relevant Scraping Service to
24 Scrape information hosted on X.

25 **REQUEST NO. 23:**

26 *Documents sufficient to identify all Persons involved in the design, manufacture, and operation of*
27
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1 *Your Scraping Tool, Proxy, and Dataset products and services.*

2 **Response to Request No. 23:** Bright Data objects to this Request to the extent it seeks
3 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
4 to this Request because it is overbroad. On its face, it seeks disclosure of virtually every Bright
5 Data employee. Subject to and without waiving these objections and its General Objections,
6 Bright Data will conduct a Targeted Search for responsive organization charts sufficient to show
7 Bright Data's management structure for operations concerning the Relevant Scraping Services.

8 **REQUEST NO. 24:**

9 *All Documents showing Your sales, revenues, profits, losses, costs, cash-flow, and operating and*
10 *capital expenditures on a monthly basis, including without limitation, invoices to Customers.*

11 **Response to Request No. 24:** Bright Data objects to this Request to the extent it seeks
12 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
13 extent it seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright
14 Data objects to this Request to the extent it seeks "all documents," rather than documents sufficient
15 to show, specified information. Bright Data objects to this Request to the extent it seeks invoices
16 on grounds of burden and proportionality. Bright Data objects to this Request on the grounds of
17 relevance because Bright Data's sales, revenues, or profits are not a relevant measure of damages
18 for any breach of contract claim. Subject to and without waiving these objections and its General
19 Objections, Bright Data will conduct a Targeted Search for information sufficient to show the
20 aggregate revenue Bright Data received from California customers who used a Relevant Scraping
21 Service to scrape information hosted on X.

22 **REQUEST NO. 25:**

23 *Documents sufficient to show the amount of revenues You attribute to X Platform Data broken*
24 *down by Customer and by month.*

25 **Response to Request No. 25:** Bright Data objects to this Request to the extent it seeks
26 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
27 extent it seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright
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1 Data objects to this Request to the extent it seeks “all documents,” rather than documents sufficient
2 to show, specified information. Bright Data objects to this Request on the grounds of relevance
3 because Bright Data’s revenues as generated by each individual user broken down by month are
4 not a relevant measure of damages for any breach of contract claim. Subject to and without
5 waiving these objections and its General Objections, Bright Data will conduct a Targeted Search
6 for information sufficient to show the aggregate revenue Bright Data received from California
7 customers who used a Relevant Scraping Service to scrape information hosted on X.

8 **REQUEST NO. 26:**

9 *All Documents showing revenue You have collected from Customers in exchange for Datasets You*
10 *scraped from the X Platform, including the amounts, payment methods, and frequency of payments.*

11 **Response to Request No. 26:** Bright Data objects to this Request to the extent it seeks
12 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
13 extent it seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright
14 Data objects to this Request to the extent it seeks “all documents,” rather than documents sufficient
15 to show, specified information. Bright Data objects to this Request on the grounds of relevance
16 because Bright Data’s revenues are not a relevant measure of damages for any breach of contract
17 claim. Bright Data’s revenues from datasets, broken down by amounts, payment methods, and
18 frequency of payments is not relevant for Bright Data’s breach of contract claim. Subject to and
19 without waiving these objections and its General Objections, Bright Data will conduct a Targeted
20 Search for information sufficient to show the aggregate revenue Bright Data received from
21 California customers who used a Relevant Scraping Service to scrape information hosted on X.

22 **REQUEST NO. 27:**

23 *All Documents showing revenue You have collected from Customers in exchange for any Scraping*
24 *Tool You have offered to license or sell, including the amounts, payment methods, and frequency*
of payments.

25 **Response to Request No. 27:** Bright Data objects to this Request to the extent it seeks
26 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
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1 extent it seeks information unrelated to X (GO 3). Bright Data objects to this Request to the extent
2 it seeks “all documents,” rather than documents sufficient to show, specified information. Bright
3 Data objects to this Request on the grounds of relevance because Bright Data’s revenues are not a
4 relevant measure of damages for any breach of contract claim. Subject to and without waiving
5 these objections and its General Objections, Bright Data will conduct a Targeted Search for
6 information sufficient to show the aggregate revenue Bright Data received from California
7 customers who used a Relevant Scraping Service to scrape information hosted on X.

8 **REQUEST NO. 28:**

9 *All Documents showing revenue You have collected from Customers in exchange for any Proxy*
10 *You have offered to license or sell, including the amounts, payment methods, and frequency of*
11 *payments.*

12 **Response to Request No. 28:** Bright Data objects to this Request to the extent it seeks
13 information unrelated to X (GO 3). Bright Data objects to this Request to the extent it seeks “all
14 documents,” rather than documents sufficient to show, specified information. Bright Data objects
15 to this Request on the grounds of relevance because Bright Data’s revenues, as broken down by
16 amounts, payment methods, and frequent of payments, are not a relevant measure of damages for
17 any breach of contract claim. Subject to and without waiving these objections and its General
18 Objections, Bright Data will conduct a Targeted Search for information sufficient to show the
19 aggregate revenue Bright Data received from California customers who used a Relevant Scraping
20 Service to scrape information hosted on X.

21 **REQUEST NO. 29:**

22 *Documents sufficient to show Your organizational, corporate, and management structure,*
23 *including office and business locations and addresses, the identities of each division or*
24 *department, the management of each division or department, and the identities of All persons who*
25 *work within each division or department and their locations.*

26 **Response to Request No. 29:** Bright Data objects to this Request to the extent it seeks
27 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
28 to this Request on grounds of relevance because Bright Data’s organizational, corporate, or

1 management structures are not relevant to X's claims. Bright Data objects to this Request because
2 it is overbroad. On its face, it seeks disclosure of virtually every Bright Data employee. Bright
3 Data objects to this Request to the extent it seeks information about the activities of any non-party
4 affiliate of Bright Data (GO 7). Subject to and without waiving these objections and its General
5 Objections, Bright Data will conduct a Targeted Search for responsive organization charts
6 sufficient to show Bright Data's management structure for operations concerning the Relevant
7 Scraping Services.

8 **REQUEST NO. 30:**

9 *Documents sufficient to show any advertisements, promotions, sales, or offers for Your products*
10 *and services (including Scraping Tools, Datasets, and Proxies) directed to any prospective*
11 *Customer or Customer located in California.*

12 **Response to Request No. 30:** Bright Data objects to this Request to the extent it seeks
13 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks
14 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Subject to and
15 without waiving these objections and its General Objections, Bright Data will conduct a Targeted
16 Search for responsive advertising, marketing, and general solicitation materials that reflect Bright
17 Data's promotions, offers, and sales for Scraping Services that appear from the face of the
18 document to be directed specifically to California Customers.

19 **REQUEST NO. 31:**

20 *Documents and Communications related to any workshop, seminar, course, or other informational*
21 *or promotional session for Your products and services (including Scraping Tools, Datasets, and*
22 *Proxies) that You have held in California, including marketing Documents, lists of attendees, and*
23 *presentation materials.*

24 **Response to Request No. 31:** Bright Data objects to this Request to the extent it seeks
25 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks discovery
26 relating to non-California customers (GO 2). Bright Data objects to this Request to the extent it
27 seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Subject to
28 and without waiving these objections and its General Objections, Bright Data will conduct a

1 Targeted Search for documents sufficient to show the workshops, seminars, courses, or other
2 informational or promotional sessions related to Scraping Services that Bright Data held in
3 California, and any participant lists for such courses.

4 **REQUEST NO. 32:**

5 *Documents and Communications related to any workshop, seminar, course, or other informational*
6 *or promotional session for Your products and services (including Scraping Tools, Datasets, and*
7 *Proxies) that You have held that included participants from California, including marketing*
Documents, lists of attendees, and presentation materials.

8 **Response to Request No. 32:** Bright Data objects to this Request to the extent it seeks
9 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks discovery
10 relating to non-California customers (GO 2). Bright Data objects to this Request to the extent it
11 seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Subject to
12 and without waiving these objections and its General Objections, Bright Data will conduct a
13 Targeted Search for documents sufficient to show the workshops, seminars, courses, or other
14 informational or promotional sessions related to Scraping Services that Bright Data held in
15 California, and any participant lists for such courses.

16 **REQUEST NO. 33:**

17 *All Documents and Communications concerning Your lease, acquisition, or use of 415 Mission*
18 *Street, San Francisco, CA.*

19 **Response to Request No. 33:** Bright Data objects to this Request to the extent it seeks
20 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks
21 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
22 to this Request to the extent it seeks “all documents and communications,” rather than documents
23 sufficient to show, specified information. Bright Data objects to this Request because discovery
24 relating to any lease, office, or real estate is not relevant or proportional. Subject to and without
25 waiving these objections and its General Objections, Bright Data refers Meta to its Responses to
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Interrogatory No. 12 and RFA No. 17.

REQUEST NO. 34:

All Documents and Communications concerning Your lease, acquisition, or use of any office, commercial real estate, or dwelling in California.

Response to Request No. 34: Bright Data objects to this Request to the extent it seeks jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects to this Request to the extent it seeks “all documents and communications,” rather than documents sufficient to show, specified information. Bright Data objects to this Request because discovery relating to any lease, office, or real estate is not relevant or proportional. Subject to and without waiving these objections and its General Objections, Bright Data refers Meta to its Responses to Interrogatory No. 12 and RFA No. 17.

REQUEST NO. 35:

Documents sufficient to identify any server located in California that is used or controlled by You, including any third-party servers used by You. For purposes of this request, “located in California,” means any server that is physically located in California, or any IP address or domain name that geolocates to California.

Response to Request No. 35: Bright Data objects to this Request to the extent it seeks jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects to this Request to the extent it seeks production of Bright Data’s Source Code (GO 5). Bright Data objects to this Request to the extent it seeks information relating to public search mechanics (GO 6). Subject to and without waiving these objections and its General Objections, Bright Data refers Meta to its Response to Interrogatory No. 9.

REQUEST NO. 36:

Documents sufficient to identify Your current or former Customers located in California, including

1 *any contracts with those Customers.*

2 **Response to Request No. 36:** Bright Data objects to this Request to the extent it seeks
3 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Subject to and
4 without waiving these objections and its General Objections, Bright Data will conduct a Targeted
5 Search of its CRM database for responsive documents relating to California customers who used
6 a Relevant Scraping Service to scrape information hosted on X.

7 **REQUEST NO. 37:**

8 *Documents sufficient to identify All current and former employees, contractors, agents, or third-*
9 *party companies hired or contracted by You, including any subsidiary, located in California.*

10 **Response to Request No. 37:** Bright Data objects to this Request to the extent it seeks
11 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks
12 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
13 to this Request because information relating to the identity of current and former employees,
14 contractors, agents, or third-party companies hired or contracted by Bright Data is not relevant or
15 proportional. Bright Data objects to this Request to the extent it seeks information about the
16 activities of any non-party affiliate of Bright Data (GO 7). Subject to and without waiving these
17 objections and its General Objections, Bright Data refers Meta to its Response to Interrogatory No.
18 11.

19 **REQUEST NO. 38:**

20 *Documents sufficient to identify All current and former employees or contractors located in*
21 *California hired or contracted by You.*

22 **Response to Request No. 38:** Bright Data objects to this Request to the extent it seeks
23 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks
24 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
25 to this Request because information relating to the identity of current and former employees,
26 contractors, agents, or third-party companies hired or contracted by Bright Data is not relevant or
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1 proportional. Subject to and without waiving these objections and its General Objections, Bright
2 Data refers Meta to its Response to Interrogatory No. 11.

3 **REQUEST NO. 39:**

4 *Documents sufficient to identify All current and former agents or third-party companies located*
5 *in California hired or contracted by You.*

6 **Response to Request No. 39:** Bright Data objects to this Request to the extent it seeks
7 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks discovery
8 relating to non-California customers (GO 2). Bright Data objects to this request to the extent it
9 seeks information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data
10 objects to this Request because information relating to the identify current and former employees,
11 contractors, agents, or third-party companies hired or contracted by is not relevant or proportional.
12 Bright Data will not produce documents in response to this Request.

13 **REQUEST NO. 40:**

14 *Documents sufficient to identify any of Your subsidiaries located in California.*

15 **Response to Request No. 40:** Bright Data objects to this Request to the extent it seeks
16 jurisdictional discovery (GO 1). Bright Data objects to this request to the extent it seeks
17 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
18 to this Request to the extent it seeks information about the activities of any non-party affiliate of
19 Bright Data (GO 7). Bright Data will not produce documents in response to this Request.

20 **REQUEST NO. 41:**

21 *All Documents and Communications related to the use of the X Platform by any of Your current,*
22 *prospective, or former Customers located in California.*

23 **Response to Request No. 41:** Bright Data objects to this Request to the extent it seeks
24 information unrelated to the Relevant Scraping Services (GO 4). Subject to and without waiving
25 these objections and its General Objections, Bright Data will conduct a Targeted Search of its
26 CRM database for responsive documents relating to California customers who used a Relevant
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1 Scraping Service to scrape information hosted on X.

2 **REQUEST NO. 42:**

3 *Documents sufficient to show any transfer of funds and/or other payments between any bank*
4 *account owned or operated by Bright Data, Ltd. and any bank account owned or operated by any*
5 *affiliate or related entity, including without limitation, Bright Data, Inc.*

6 **Response to Request No. 42:** Bright Data objects to this Request to the extent it seeks
7 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks
8 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
9 to this Request because information relating to intra-corporate transfers are neither relevant nor
10 proportional. Bright Data objects to this Request to the extent it seeks information about the
11 activities of any non-party affiliate of Bright Data (GO 7). Bright Data will not produce documents
12 in response to this Request.

13 **REQUEST NO. 43:**

14 *Documents sufficient to show the corporate relationship between Bright Data Ltd. and any affiliate*
15 *or related entity, including without limitation Bright Data, Inc., including any agreements between*
16 *Bright Data Ltd. and Bright Data, Inc.*

17 **Response to Request No. 43:** Bright Data objects to this Request to the extent it seeks
18 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks
19 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
20 to this Request because information relating to intra-corporate agreements and relationships are
21 neither relevant nor proportional. Bright Data objects to this Request to the extent it seeks
22 information about the activities of any non-party affiliate of Bright Data (GO 7). Bright Data will
23 not produce documents in response to this Request.

24 **REQUEST NO. 44:**

25 *Documents sufficient to show the officers and directors of Bright Data Ltd. and any affiliate or*
26 *related entity, including without limitation Bright Data, Inc.*

27 **Response to Request No. 44:** Bright Data objects to this Request to the extent it seeks
28 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks

1 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
2 to this Request on grounds of relevance because Bright Data's organizational structure is not
3 relevant to X's claims. Bright Data objects to this Request to the extent it seeks information about
4 the activities of any non-party affiliate of Bright Data (GO 7). Bright Data will not produce
5 documents in response to this Request.

6 **REQUEST NO. 45:**

7 *Documents sufficient to show any of Your advertising or marketing or strategy budget spent,*
8 *directed, earmarked, targeted, or related to advertising or marketing in California.*

9 **Response to Request No. 45:** Bright Data objects to this Request to the extent it seeks
10 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks
11 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
12 to this Request because information relating Bright Data's advertising expenditures is neither
13 relevant nor proportional. Bright Data will not produce documents in response to this Request.

14 **REQUEST NO. 46:**

15 *Documents sufficient to show any of Your advertising or marketing or strategy budget spent,*
16 *directed, earmarked, targeted, or related to any Customer or prospective Customer in California.*

17 **Response to Request No. 46:** Bright Data objects to this Request to the extent it seeks
18 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks
19 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
20 to this Request because information relating Bright Data's advertising expenditures is neither
21 relevant nor proportional. Bright Data will not produce documents in response to this Request.

22 **REQUEST NO. 47:**

23 *All Documents reviewed in preparing or drafting responses to any interrogatory propounded by*
24 *X Corp. in this Action, including any Documents identified in those responses.*

25 **Response to Request No. 47:** Bright Data objects to this Request because it calls for
26 privileged information (GO 10). Bright Data objects to this Request as premature to the extent it
27 covers any Interrogatory that has not yet been propounded or any response that has not yet been
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1 served. Subject to and without waiving these objections and its General Objections, Bright Data
2 will produce any document that it expressly cites in any response to X's First Set of Interrogatories,
3 unless such document has already been produced or is publicly available.

4 **REQUEST NO. 48:**

5 *All Documents You intend to rely on at any hearing or at trial in this Action.*

6 **Response to Request No. 48:** Bright Data objects to this Request because it calls for
7 privileged information (GO 10). Bright Data objects to this Request as premature because Bright
8 Data has not yet made any determination of what documents it intends to rely on at any hearing or
9 trial. Bright Data will meet and confer with X concerning a mutually-agreeable schedule for the
10 exchange of potential exhibit lists for any hearing or trial.

11 **REQUEST NO. 49:**

12 *All Documents concerning a Person or Document referred to in Your initial disclosures under*
13 *Fed. R. Civ. P. 26(a)(1) or considered by You in preparing Your disclosures.*

14 **Response to Request No. 49:** Bright Data objects to this Request to the extent it calls for
15 privileged information (GO 10). Bright Data objects to this Request to the extent it seeks all
16 documents relating to a person, without regard to relevance or subject matter. Bright Data objects
17 to this Request as overly broad, unduly burdensome, and duplicative of other requests. Bright
18 Data objects to this Request because it does not specify with reasonable particularity the
19 information requested. Bright Data will not produce documents in response to this Request.

20 **REQUEST NO. 50:**

21 *All Documents referred to by You in Your pleadings in this Action.*

22 **Response to Request No. 50:** Bright Data objects to this Request as premature because
23 Bright Data has not yet served any pleading in this Action. Subject to and without waiving these
24 objections and its General Objections, Bright Data will produce responsive documents that it
25 expressly cites in its Answer or Counterclaims, if any, that have not been cited in X's Complaint,
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1 that have not been previously produced, and that are not publicly available.

2 **REQUEST NO. 51:**

3 *All Documents concerning Your document creation, document maintenance, document retention,*
4 *or document destruction policies and practices from 2017 to the present.*

5 **Response to Request No. 51:** Bright Data objects to this Request to the extent it seeks
6 discovery on discovery, which is irrelevant, unduly burdensome, and disproportional. Bright Data
7 objects to this Request to the extent it seeks information prior to July 26, 2019 (GO 9). Bright
8 Data objects to this Request to the extent it seeks “all documents,” rather than documents sufficient
9 to show, specified information. Bright Data will not produce documents in response to this
10 Request.

11 **REQUEST NO. 52:**

12 *Transcripts of all trial or deposition testimony ever given in a proceeding by a person You*
13 *identified in Your initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) or whom You expect to*
call as a witness in connection with this Action.

14 **Response to Request No. 52:** Bright Data objects to this Request to the extent it calls for
15 the disclosure or identification of witnesses that Bright Data “expects” to call because it calls for
16 privileged information (GO 10). Bright Data objects to this Request to the extent it seeks
17 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
18 to this Request to the extent it seeks all documents relating to a person, without regard to relevance
19 or subject matter. Bright Data will not produce documents in response to this Request.

20 **REQUEST NO. 53:**

21 *All Documents concerning any settlement agreement (including without limitation release*
22 *agreements, settlement agreements, and covenants not to sue) with any Person concerning Your*
products and services (including Scraping Tools, Datasets, and Proxies).

23 **Response to Request No. 53:** Bright Data objects to this Request to the extent that it calls
24 for information protected by privilege, including Rule 408 or the settlement privilege (GO 10).
25 Bright Data objects to this Request because information relating to any settlement with any third-
26 party is not relevant. Bright Data objects to this Request to the extent it seeks information unrelated
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1 to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data will not produce documents
2 in response to this Request.

3 **REQUEST NO. 54:**

4 *All agreements with any Person having any financial interest in Bright Data or the outcome of this*
5 *Action, including documents sufficient to show the nature and extent of the financial interest for*
6 *each such Person.*

7 **Response to Request No. 54:** Bright Data objects to this Request to the extent it seeks
8 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
9 to this Request on the ground that information relating to any third-party's interest in Bright Data
10 or the outcome of this Action is not relevant. Bright Data will not produce documents in response
11 to this Request.

12 **REQUEST NO. 55:**

13 *Documents reflecting any taxes you have paid in California.*

14 **Response to Request No. 55:** Bright Data objects to this Request to the extent it seeks
15 jurisdictional discovery (GO 1). Bright Data objects to this Request to the extent it seeks
16 information unrelated to X (GO 3) or the Relevant Scraping Services (GO 4). Bright Data objects
17 to this Request because information relating to Bright Data's taxes in California is not relevant or
18 proportional. Bright Data will not produce documents in response to this Request.

19 **REQUEST NO. 56:**

20 *All print and electronic promotional and marketing materials, including website pages, for you*
21 *products and services that mention, refer, or relate to Twitter or the X Platform.*

22 **Response to Request No. 56:** Bright Data objects to this Request to the extent it seeks
23 "all ... materials," rather than documents sufficient to show, specified information. Subject to and
24 without waiving these objections and its General Objections, Bright Data will conduct a Targeted
25 Search for and will produce responsive documents sufficient to show its current website pages to
26 the extent such pages reference Twitter or the X platform.

27 **REQUEST NO. 57:**

28 *All documents and communications that mention, refer, or relate to data scraped from the X*

1 *Platform and/or efforts to scrape data from the X Platform.*

2 **Response to Request No. 57:** Bright Data objects to this Request to the extent it seeks
3 discovery relating to non-California customers (GO 2). Bright Data objects to this Request to the
4 extent it seeks information relating to public search mechanics (GO 6). Subject to and without
5 waiving its General Objections, Bright Data will conduct a Targeted Search for (i) responsive data
6 that Bright Data itself scraped from the X platform during the Relevant Period; (ii) responsive
7 marketing materials sufficient to describe the features of the Relevant Scraping Services; and (iii)
8 responsive documents sufficient to show Bright Data's current website pages to the extent such
9 pages reference Twitter or the X platform.

1 Dated: February 1, 2024

Respectfully submitted,

2
3 /s/ Colin R. Kass

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Attorneys for Defendant Bright Data Ltd.
**Admitted pro hac vice*

ATTACHMENT 18

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

X CORP.,

Plaintiff,

Case No. 3:23-CV-03698-WHA

v.

BRIGHT DATA LTD.,

Defendant.

**BRIGHT DATA’S FIRST SUPPLEMENTAL RESPONSES AND OBJECTIONS
TO X CORP.’S FIRST SET OF REQUESTS FOR ADMISSION**

Pursuant to the Federal Rules of Civil Procedure, Bright Data Ltd. (“Bright Data”), by and through its attorneys, propounds the following First Supplemental Objections and Responses (“Responses”) to X Corp.’s First Set of Requests for Admissions (the “RFAs” or “Requests”). Bright Data reserves its right to supplement these objections and responses.

GENERAL OBJECTIONS

Bright Data asserts the following General Objections (“GOs”), which are incorporated by reference into each of the Specific Responses and Objections below. Along with Bright Data’s Specific Responses and Objections, the GOs govern the scope of any response made by Bright Data to the Requests and are neither waived nor limited by Bright Data’s Specific Responses and Objections.

1. ***Prematurity.*** Bright Data objects to the Requests to the extent they do not provide a sufficient time to conduct the investigation needed to provide an answer. Many Requests are overly burdensome, disproportionate, technical, and require significant expense and resources to investigate. For this reason, to the extent the Requests relate to topics still under investigation by Bright Data, Bright Data intends to answer at a mutually agreed upon date or by the substantial compliance deadline, if set by the Court.

1 2. ***Scope of Jurisdictional Discovery.*** Bright Data objects to the Requests on grounds
2 of relevance and proportionality to the extent they seek information related solely to personal
3 jurisdiction, that does not otherwise have a bearing on the merits.

4 3. ***Third-Party Scraping by Non-California Customers.*** Even if the Court has
5 personal jurisdiction over certain aspects of X's non-contract claims (Counts II-VI), such
6 jurisdiction would not extend to claims unrelated to any Bright Data conduct expressly aimed at
7 California. This would include, at a minimum, any use of Bright Data's services by non-California
8 customers. Accordingly, absent Court order or further agreement of the parties, Bright Data will
9 not respond to the Requests with information relating to scraping by third parties outside
10 California.

11 4. ***Conduct Relating to Scraping of Websites Other Than X.*** X has not asserted any
12 claim relating to the use of Bright Data's services for purposes other than scraping X. Information
13 that does not expressly relate to the scraping of X is neither relevant nor proportional. Accordingly,
14 absent Court order or further agreement of the parties, Bright Data will not search for or produce
15 information relating to the scraping of sites other than X.

16 5. ***Relevant Scraping Services.*** As noted, Bright Data objects to the Requests to the
17 extent they seek information that does not relate to the scraping of X, on the grounds of relevance
18 and proportionality. Without limiting the foregoing, Bright Data objects to X's definitions of
19 "Scraping Tool," "Data," "Dataset," "Proxy," "Proxies," "Code," and "Logs" to the extent such
20 terms are not limited to instances in which such Scraping Tools, Datasets, or Proxies are used for
21 the scraping of X. In responding to the Requests, Bright Data will use the term "Scraping Services"
22 to refer to Bright Data's proxy network, its Data Collector Service (both self-managed and fully-
23 managed), and dataset sales when used to scrape data from third-party websites. Bright Data will
24 use the term "Relevant Scraping Services" or "Relevant Bright Data Scraping Services" to refer
25 to instances in which the Scraping Services are used to scrape data from X. Unless otherwise
26 specified, absent Court order or further agreement of the parties, Bright Data will not search for or
27 produce information that does not relate to the Relevant Scraping Services.

1 6. **Public Search Mechanics.** Bright Data objects to the Requests to the extent it
2 seeks information about the technological measures that Bright Data uses to address X's anti-
3 scraping technology, including IP blockers, CAPTCHAs, and rate limiters because such
4 information is neither relevant nor proportional, and the disclosure of this information could cause
5 grave commercial and competitive injury. Accordingly, absent Court order or further agreement
6 of the parties, Bright Data will not search for or produce information relating to X's detection
7 system or the steps by which non-members may access public information posted on X's sites.

8 7. **Alter Ego Discovery.** Bright Data objects to the Requests to the extent it seeks
9 information about the activities of any non-party affiliate of Bright Data. Such information is not
10 relevant to either the merits of any claim, or jurisdiction. *See Scanlon v. Curtis Int'l Ltd.*, 465 F.
11 Supp. 3d 1054, 1067-68 (E.D. Cal. 2020) (denying jurisdictional discovery under an alter ego
12 theory).

13 8. **General Protective Order.** Bright Data will not produce any confidential or
14 competitively sensitive information prior to entry of a suitable general protective order and objects
15 to the Requests to the extent they call for the same.

16 9. **Relevant Period.** Bright Data objects to the Requests to the extent they call for the
17 production of information relating to the search for or collection of information (or the use or sale
18 of such information) after September 25, 2023. As Bright Data has previously explained, there is
19 no extant contract between Bright Data and X, and thus, any discovery after September 25, 2023
20 would not relate to X's breach of contract claim (Count I), but X's other non-contract claims
21 (Counts II-VI). Bright Data objects to the Requests to the extent it calls for information pre-dating
22 July 26, 2019. Accordingly, absent Court order or further agreement of the parties, Bright Data
23 will not search for or produce information dated prior to July 26, 2019 or after September 25, 2023.

24 10. **Privilege.** Bright Data objects to the Requests to the extent that they call for the
25 disclosure of information protected by any privilege, doctrine, or protection, including without
26 limitation the attorney-client privilege, the work product doctrine and any other applicable
27 privilege or protection. Nothing contained in these objections and responses is intended to be, or
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1 in any way constitutes, a waiver of any applicable privilege or immunity. Any inadvertent
2 production of information protected by the attorney-client privilege, prepared in anticipation of
3 litigation or trial, or otherwise protected or immune from discovery shall not constitute a waiver
4 of any privilege nor of any other basis for objecting to the use of such material or its subject matter.
5 Bright Data expressly reserves the right to object to the use or introduction of such information.

6 11. ***The Rules Govern.*** Bright Data objects to the Requests, including the Definitions
7 and Instructions, to the extent that they are inconsistent with or exceed the obligations imposed by
8 the Federal Rules of Civil Procedure, any Local Rule, or applicable order. In responding to these
9 Requests, Bright Data will comply with the requirements of the Federal Rules of Civil Procedure,
10 the Local Rules, and applicable orders of the Court.

11 12. ***Use of Instructions and Definitions.*** Bright Data objects to X's use of instructions
12 and definitions in its Requests as overly burdensome, unreasonable, and contrary to the Court's
13 Local Rules. Supp. CMC Order § 17 ("The fashionable use of 'Instructions' and 'Definitions' in
14 document requests and interrogatories has a strong tendency, when read into the requests and
15 interrogatories, to exacerbate burden and this alone can sometimes render them unreasonable.
16 Under the Federal Rules, there is no need for 'Instructions' and 'Definitions.'").

17 13. ***Objection to Definition 1.*** Bright Data objects to Definition 1 on the grounds that
18 it is overbroad, would impose undue burden, is disproportional, and is inconsistent with the
19 requirements of the Rules. Bright Data will respond to the Requests on behalf of Bright Data Ltd.
20 only.

21 14. ***Objection to Definition 4.*** Bright Data objects to the definition of "Customer" on
22 the grounds that, as defined, it renders the Requests overbroad and disproportional. Bright Data
23 has identified several objections to Requests seeking customer information. *See, e.g.,* GO 3. In
24 responding to these Requests, absent Court order or further agreement of the parties, Bright Data
25 will construe the term "Customer" to exclude the categories of customers or customer information
26 to which Bright Data has lodged an objection.

1 15. ***Objection to Definition 5.*** Bright Data objects to the definition of “Customer
2 located in California” on grounds of relevance and proportionality to the extent the definition
3 causes the Requests to seek information that does not involve (i) activity by Bright Data in
4 California, or (ii) activity directed at third parties who are physically in California when using a
5 Relevant Scraping Service (“California Activity”). Without limiting the foregoing, Bright Data
6 objects to the term “Customer located in California” to the extent it depends on the domicile,
7 headquarters, or address of a customer. In responding to these requests, Bright Data will use the
8 term “California Customers” to refer to customers for whom the relevant activity concerned
9 California Activity.

10 16. ***Objection to the Relevant Bright Data Services Definitions (Definitions 6-8).***
11 Bright Data objects to the definitions of Bright Data’s services (including the definitions of
12 “Scraping Tool” (Definition 6), “Data” or “Dataset” (Definition 7), and “Proxy” or “Proxies”
13 (Definition 8)) on the grounds that, as defined, they render the Requests overbroad and
14 disproportional. Bright Data has identified several objections to the scope of Requests seeking
15 information relating to Bright Data’s Services. *See, e.g.*, GOs 4, 5. In responding to these
16 Requests, Bright Data will construe the Requests using the terms “scraping tool,” “data”, or
17 “proxy” (or variations thereof) to both (i) exclude information for which Bright Data has lodged
18 an objection; and (ii) include only information relating to the use of such services by Bright Data
19 or a third party to search for or collect information from X sites using automated means.

20 17. ***Objection to Definition 9.*** Bright Data objects to the definition of “Terms” to the
21 extent it assumes that “all users who register for an X account, and/or view the X website or
22 application agree to [them].” In responding to these requests, Bright Data will use the term
23 “Terms” to mean X’s Terms of Service, Privacy Policy, and Twitter Rules and Policies in effect
24 between July 26, 2019 and September 25, 2023.

25 18. ***Objection to Instruction 3.*** Bright Data objects to Instruction 3 on the grounds of
26 overbreadth, burden, and proportionality. Bright Data objects to the extent Instruction 3 calls for
27 the production of information before July 26, 2019, as anything before that date is outside the
28

1 scope of X's claims. Bright Data further objects to the extent Instruction 3 calls for the production
2 of information relating to the search or collection of information (or the use or sale of such
3 information) after September 25, 2023. As such, unless otherwise noted, the temporal scope of
4 Bright Data's responses will be from July 26, 2019 through September 25, 2023, as explained in
5 GO 9.

6 19. ***Reservation of Right to Amend.*** Because discovery is ongoing, Bright Data's
7 responses are preliminary in nature and based only on information that is readily available to Bright
8 Data after a reasonable, but still ongoing, investigation. To the extent necessary or appropriate,
9 Bright Data reserves the right to supplement its Responses in accordance with Fed. R. Civ. P.
10 26(e), including – without limitation – by asserting additional objections. ***In particular, Bright***
11 ***Data reserves the right to amend, withdraw, or modify any offer of production if the Court later***
12 ***grants Bright Data's Motion to Dismiss or Motion for Summary Judgment.***

13 **REQUESTS FOR ADMISSION**

14 **REQUEST FOR ADMISSION NO. 1:**

15 *Admit that You have licensed or sold at least one of Your Scraping Tools to a Customer located*
16 *in California.*

17 **Response to Request for Admission No. 1:** Bright Data objects to this Request because
18 the determination of the specific purchases made by specific customers or types of customers
19 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
20 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
21 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
22 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
23 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
24 upon date or by the substantial compliance deadline, if set by the Court.

REQUEST FOR ADMISSION NO. 2:

Admit that You have licensed or sold at least five of Your Scraping Tools to a Customer located in California.

Response to Request for Admission No. 2: Bright Data objects to this Request because the determination of the specific purchases made by specific customers or types of customers requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation, but the information Bright Data knows or can readily obtain at this point is insufficient to enable it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed upon date or by the substantial compliance deadline, if set by the Court.

REQUEST FOR ADMISSION NO. 3:

Admit that You have licensed or sold at least 20 of Your Scraping Tools to a Customer located in California.

Response to Request for Admission No. 3: Bright Data objects to this Request because the determination of the specific purchases made by specific customers or types of customers requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation, but the information Bright Data knows or can readily obtain at this point is insufficient to enable it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed upon date or by the substantial compliance deadline, if set by the Court.

REQUEST FOR ADMISSION NO. 4:

Admit that You have licensed or sold at least 100 of Your Scraping Tools to a Customer located in California.

Response to Request for Admission No. 4: Bright Data objects to this Request because the determination of the specific purchases made by specific customers or types of customers

1 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
2 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
3 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
4 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
5 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
6 upon date or by the substantial compliance deadline, if set by the Court.

7 **REQUEST FOR ADMISSION NO. 5:**

8 *Admit that You have licensed or sold at least one of Your X Corp. Datasets to a Customer located*
9 *in California.*

10 **Response to Request For Admission No. 5:** Bright Data objects to this Request because
11 the determination of the specific purchases made by specific customers or types of customers
12 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
13 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
14 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
15 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
16 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
17 upon date or by the substantial compliance deadline, if set by the Court.

18 **REQUEST FOR ADMISSION NO. 6:**

19 *Admit that You have licensed or sold at least five of Your X Corp. Datasets to a Customer*
20 *located in California.*

21 **Response to Request For Admission No. 6:** Bright Data objects to this Request because
22 the determination of the specific purchases made by specific customers or types of customers
23 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
24 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
25 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
26 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
27 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
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1 upon date or by the substantial compliance deadline, if set by the Court.

2 **REQUEST FOR ADMISSION NO. 7:**

3 *Admit that You have licensed or sold at least 20 of Your X Corp. Datasets to a Customer located*
4 *in California.*

5 **Response to Request For Admission No. 7:** Bright Data objects to this Request because
6 the determination of the specific purchases made by specific customers or types of customers
7 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
8 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
9 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
10 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
11 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
12 upon date or by the substantial compliance deadline, if set by the Court.

13 **REQUEST FOR ADMISSION NO. 8:**

14 *Admit that You have licensed or sold at least 100 of Your X Corp. Datasets to a Customer located*
15 *in California.*

16 **Response to Request For Admission No. 8:** Bright Data objects to this Request because
17 the determination of the specific purchases made by specific customers or types of customers
18 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
19 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
20 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
21 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
22 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
23 upon date or by the substantial compliance deadline, if set by the Court.

24 **REQUEST FOR ADMISSION NO. 9:**

25 *Admit that You have licensed or sold at least one of Your Proxies to a Customer located in*
26 *California.*

27 **Response to Request For Admission No. 9:** Bright Data objects to this Request because
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1 the determination of the specific purchases made by specific customers or types of customers
2 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
3 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
4 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
5 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
6 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
7 upon date or by the substantial compliance deadline, if set by the Court.

8 **REQUEST FOR ADMISSION NO. 10:**

9 *Admit that You have licensed or sold at least five of Your Proxies to a Customer located*
10 *in California.*

11 **Response to Request For Admission No. 10:** Bright Data objects to this Request because
12 the determination of the specific purchases made by specific customers or types of customers
13 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
14 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
15 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
16 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
17 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
18 upon date or by the substantial compliance deadline, if set by the Court.

19 **REQUEST FOR ADMISSION NO. 11:**

20 *Admit that You have licensed or sold at least 20 of Your Proxies to a Customer located in*
21 *California.*

22 **Response to Request For Admission No. 11:** Bright Data objects to this Request because
23 the determination of the specific purchases made by specific customers or types of customers
24 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
25 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
26 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
27 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
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1 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
2 upon date or by the substantial compliance deadline, if set by the Court.

3 **REQUEST FOR ADMISSION NO. 12:**

4 *Admit that You have licensed or sold at least 100 of Your Proxies to a Customer located in*
5 *California.*

6 **Response to Request For Admission No. 12:** Bright Data objects to this Request because
7 the determination of the specific purchases made by specific customers or types of customers
8 requires substantial investigation (GO 1). Bright Data is currently undertaking this investigation,
9 but the information Bright Data knows or can readily obtain at this point is insufficient to enable
10 it to admit or deny this Request. Bright Data objects to this Request to the extent it seeks
11 information unrelated to X (GO 4) or the Relevant Scraping Services (GO 5). Subject to its general
12 and specific objections, Bright Data will supplement its answer to this Request at a mutually agreed
13 upon date or by the substantial compliance deadline, if set by the Court.

14 **REQUEST FOR ADMISSION NO. 13:**

15 *Admit that You have at least one employee who resides in California.*

16 **Response to Request For Admission No. 13:** Admitted.

17 **REQUEST FOR ADMISSION NO. 14:**

18 *Admit that You have at least five employees who reside in California.*

19 **Response to Request For Admission No. 14:** Denied.

20 **REQUEST FOR ADMISSION NO. 15:**

21 *Admit that You have at least 10 employees who reside in California.*

22 **Response to Request For Admission No. 15:** Denied.

23 **REQUEST FOR ADMISSION NO. 16:**

24 *Admit that You have at least 20 employees who reside in California.*

25 **Response to Request For Admission No. 16:** Denied.

26 **REQUEST FOR ADMISSION NO. 17:**

27 *Admit that in 2022, You opened a "San Francisco office," as mentioned on Your webpage entitled*
28

1 “About Bright Data,” available at <https://brightdata.com/about>.

2 **Response to Request For Admission No. 17:** Denied. Bright Data held two temporary
3 passes for desks at a WeWork facility in San Francisco, CA for eight months in 2022. For a short
4 period of time, Bright Data identified the address for this facility on its webpage.

5 **REQUEST FOR ADMISSION NO. 18:**

6 *Admit that You advertise products or services to extract public web data from California websites.*

7 **Response to Request For Admission No. 18:** Bright Data objects to the Term “California
8 websites,” as vague and ambiguous. For purposes of this Request, Bright Data construes the term
9 “California websites” to mean websites that can *only* be accessed through a server physically
10 located in California by a website operator domiciled in California. Based on that definition,
11 Bright Data denies this Request. Bright Data does not advertise products or services that relate to
12 such websites. To the extent Bright Data’s advertising uses the term “California website,” it refers
13 to California-specific content that a website operator chose to make available based on the IP
14 address of the visitor, regardless of the location of the user or website operator. For example, a
15 Yelp search for “restaurants near me” would seek location-specific content, but does not require
16 that the website actually be located in California.

17 **REQUEST FOR ADMISSION NO. 19:**

18 *Admit that You license or sell products or services to extract public web data from California*
19 *websites.*

20 **Response to Request For Admission No. 19:** Bright Data objects to the Term “California
21 websites,” as vague and ambiguous. For purposes of this Request, Bright Data construes the term
22 “California websites” to mean websites that can *only* be accessed through a server physically
23 located in California by a website operator domiciled in California. Based on that definition,
24 Bright Data denies this Request. Bright Data does not sell products or services that relate
25 specifically to such websites. Rather, Bright Data’s Relevant Scraping Services can be used with
26 any website, regardless of its location.
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1 **REQUEST FOR ADMISSION NO. 20:**

2 *Admit that You created or used at least one X Corp. account.*

3 **Response to Request For Admission No. 20:** Bright Data admits that it created or used
4 an X account at some point prior to September 25, 2023. Bright Data denies that it used any X
5 account to scrape information posted on the X website. Bright Data denies that it currently has or
6 uses an X account.

7
8 **REQUEST FOR ADMISSION NO. 21:**

9 *Admit that You agreed to X Corp's Terms.*

10 **Response to Request For Admission No. 21:** Bright Data lacks sufficient information to
11 determine whether it expressly agreed to X's Terms. Bright Data admits that it created or used an
12 X account at some point prior to September 25, 2023. But Bright Data does not admit that it had
13 seen, reviewed, or expressly agreed to X's Terms when engaged in those activities, and therefore,
14 does not admit that it was bound by such Terms.

15
16 **REQUEST FOR ADMISSION NO. 22:**

17 *Admit that You used automated means to collect Data from the X Platform.*

18 **Response to Request For Admission No. 22:** Bright Data admits that it used automated
19 means to search for and collect publicly-available information that X voluntarily posted to its
20 website, and which is available to members of the public without logging-in to or using a X user
21 account. Bright Data otherwise denies RFA 22.
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1 Dated: February 1, 2024

Respectfully submitted,

2
3 /s/ Colin R. Kass

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